

[3506]

**IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)**

**THURSDAY, THE TWENTY NINTH DAY OF MAY
TWO THOUSAND AND TWENTY FIVE**

:PRESENT:

THE HONOURABLE SRI JUSTICE HARINATH NUNEPALLY

AND

THE HONOURABLE DR. JUSTICE Y. LAKSHMANA RAO

WRIT PETITION NO: 13977 OF 2025

Between:

Surisetty Siva Venkata Prasad Guptha, Aged about 45years S/o Surisetty Subbarao, Occ Business, R/o D.No.9/220, Nandyal Road, MydukurTown, YSR Kadapa District, Andhra Pradesh.

... Petitioner

AND

1. Union Of India, Rep by its Secretary, Department of Financial Services, Ministry of Finance, 3rd Floor, JeevanDeep Building, Sansad Marg, New Delhi-110001.
2. The Reserve Bank of India, The Reserve Bank of India, 6 Sansad Marg, New Delhi-110001, Rep by its General Manager
3. The Indian Overseas Bank, Proddutur Branch (Branch Code 2977), YSR Kadapa District, Andhra Pradesh. Rep by its Chief Manager
4. The Chief Manager, Asset Reconstruction Department, Indian Overseas Bank, Regional Office, Vijayawada.
5. Asset Reconstruction Company (India) Limited, Represented by its Authorized Representative, Office No.207, Bhuvana Towers, above Mugdha Showroom Patny, Secunderabad, Hyderabad, Telangana-500003

... Respondents

Petition under Article 226 of the Constitution of India is filed praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a writ order or direction, one more particularly in the nature of "Writ of Mandamus" declaring the action of Respondent No.5 in issuing a Possession Notice dated 14.05.2025 and claiming to have taken possession of the Rice Mill property situated in Sy.No.1055/B3, Old D.No.6/272A and 672/2-A, Sri Lakshmi Ganesha Mega Modern Rice Mill, Proddutur Main Road, Mydukur Town, Kadapa District, despite the Petitioner having purchased the said property through a registered sale deed and while W.P. No.30121 of 2023 is pending adjudication before this Honble Court as being illegal, arbitrary and violation of Principles of Natural Justice and also violation of Art 14, 21 and Art 300A of the Constitution of India and Consequently direct the Respondent Nos.3 and 4 herein to release the original link documents pertaining to Commercial property in Sy.No.1055/B3, Old D.No.6/272A and 672/2-A, Sri Lakshmi Ganesha Mega Modern Rice Mill, Proddutur Main Road, Mydukur Town, Kadapa District and set aside the impugned proceedings dated 14.05.2025 issued by the Respondent No.5.

IA NO: 1 OF 2025

Petition under Section 151 of CPC is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to Stay the Operation of and all further proceedings pursuant to the Possession Notice, Dt. 14.05.2025, issued by the Respondent No.5 , Pending disposal of WP 13977 of 2025, on the file of the High Court.

The petition coming onfor hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of SRI N ASHWANI KUMAR Advocate for the Petitioner, Additional Solicitor General of India(Central Government Counsel) for respondent no.1, and the Court made the following.

ORDER

“Learned counsel for the petitioner is permitted to takeout personal notice to respondent Nos.3 to 5 through registered post with acknowledgment due and file proof of service in the Registry.

Post the matter on 27.06.2025.

In the meantime, there shall be stay of all further proceedings insofar as impugned proceedings dated 14.05.2025.”

Sd/- SK MD RAFI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Secretary, Union Of India, Department of Financial Services, Ministry of Finance, 3rd Floor, JeevanDeep Building, Sansad Marg, New Delhi-110001.
2. The Reserve Bank of India, The Reserve Bank of India, 6 Sansad Marg, New Delhi-110001, Rep by its General Manager
3. The Chief Manager, Indian Overseas Bank, Proddutur Branch (Branch Code 2977), YSR Kadapa District, Andhra Pradesh.
4. The Chief Manager, Asset Reconstruction Department, Indian Overseas Bank, Regional Office, Vijayawada.
5. The Authorized Representative, Asset Reconstruction Company (India) Limited, Office No.207, Bhuvana Towers, above Mugdha Showroom Patny, Secunderabad, Hyderabad, Telangana-500003 (1 to 5 by RPAD)
6. One CC to SRI. N ASHWANI KUMAR Advocate [OPUC]
7. Two spare copies.

ksr

HIGH COURT

HN, J

&

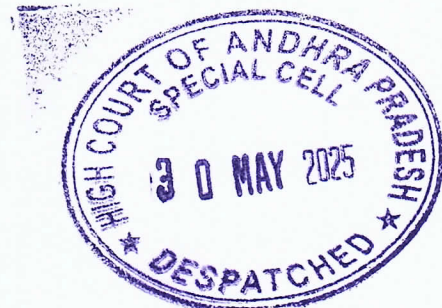
Dr.YLR, J

DATED:29/05/2025

Post the matter on 27.06.2025.

ORDER

WP.No.13977 of 2025



STAY