

[3483]

**(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)**

TUESDAY ,THE FIRST DAY OF JULY

TWO THOUSAND AND TWENTY FIVE

:PRESENT:

HONOURABLE THE CHIEF JUSTICE SRI DHIRAJ SINGH THAKUR

AND

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

WRIT PETITION NO: 15623 OF 2025

Between:

Mr.Jampani Satyanarayana, S/o. late Mr. Tatarao Aged about 62 years,
R/o.A/2, D.No.15-13-235, 2nd Line,RTC Colony, near Sai Baba Temple,
Guntur City and District

Petitioner

AND

1. Canara Bank, rep.by its Branch Manager, ARM Brnach, Circle Office,
Door No.54-15-4B, 2nd Floor, Lakshmi Aveue, Srinivas Nagar Bank
Colony, Ring Road, Vijayawada - 520008.
2. Mr. Balagani Venkata Rao, S/o. Mr. Balagani Venkaiah, R/o.H.No.19-
10-42, Etukuru Road, Darga Manyam, Guntur - 522 003, Cell No. 99636
37566 And Also Telugu Teacher, ZPH School, Katrapadu Village,
Vatticherukuru Mandal, Guntur District - 522 017. Cell No. 99636 37566
3. Mr. CH. Basava Mohan Rao, Approved Valuer, R/o.D.No.32-27-3,
Sri Nagar, Maruthi Nagar, Vijayawada-520034.

Respondents

WHEREAS the Petitioner above named through his/her Advocate Sri VENKATA RAO BURLA presented this 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 more particularly one in the nature of 'Writ of Mandamus', declaring that the petitioner is entitled to exercise the statutory 'Right of Redemption' under Section 60 r/w. Sec.83 of the Transfer of Property Act to redeem the mortgaged property of agricultural lands of an extent of Ac.0- 73 cents in Sy.No.43/1A2 and Ac.0-87 cents in Sy.No.43/1A3, respectively, situated at Nadimpalem Village, Prathipadu Mandal, Guntur District, mortgaged with the 1st respondent bank, and consequently direct the 1st respondent bank to receive the sum of Rs.81,50,000/- (Rupees Eighty One Lakhs Fifty Thousands Only) and release the mortgage of the above said agricultural lands by returning all the original title deeds etc., to the petitioner herein in respect of extent of Ac.0-73 cents in Sy.No.43/1A2 and Ac.0-87 cents in Sy. No.43/1 A3, respectively, situated at Nadimpalem Village, Prathipadu Mandal, Guntur District.

AND WHEREAS the High Court upon perusing the petition and affidavit/memorandum of grounds filed herein and upon hearing the arguments of Sri VENKATA RAO BURLA Advocate for the Petitioner, directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. The Branch Manager, Canara Bank, ARM Branch, Circle Office, Door No.54-15-4B, 2nd Floor, Lakshmi Aveue, Srinivas Nagar Bank Colony, Ring Road, Vijayawada - 520008.
2. Mr. Balagani Venkata Rao, S/o. Mr. Balagani Venkaiah, R/o.H.No.19-10-42, Etukuru Road, Darga Manyam, Guntur - 522 003, Cell No. 99636

37566 And Also Telugu Teacher, ZPH School, Katrapadu Village, Vatticherukuru Mandal, Guntur District - 522 017. Cell No. 99636 37566

3. Mr. CH. Basava Mohan Rao, Approved Valuer, R/o.D.No.32-27-3, Sri Nagar, Maruthi Nagar, Vijayawada-520034.

are be and hereby directed to show cause either appearing in person or through an Advocate, as to why in the circumstances set out in the petition and the memorandum of grounds filed therewith (copy enclosed) this WRIT PETITION should not be admitted on or before 22.07.2025 on which date the case stands posted for hearing.

IA NO: 1 OF 2025

Petition under Section 151 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 grant stay of issuance of the Sale Certificate by the 1st respondent bank in favour of the 2nd respondent in respect of the agricultural lands of an extent of Ac.0-73 cents in Sy.No.43/1A2 and Ac.0-87 cents in Sy.No.43/1A3, respectively, situated at Nadimpalem Village, Prathipadu Mandal, Guntur District, pursuant to the e-auction Sale Notice dated 10-03-2025 held on 28-03-2025, issued by the 1st respondent bank, pending disposal of WP No. 15623 of 2025, on the file of the High Court.

The Court made the following:

ORDER:

“Learned counsel for the petitioner states that the subject lands i.e. an extent of Ac.0.73 Cents falling in Survey No.43/1A2 as also Ac.0.87 Cents falling in Survey No.43/1A3, situate at Nadimpalem Village, Guntur District being agriculture in character could not have been the subject matter of proceedings under the SARFAESI Act, 2002.

Issue notice(s) to respondents, returnable on 22.07.2025.

Personal notice(s) on respondents is permitted.

List on 22.07.2025.

In the meantime, status quo be maintained with regard to the above lands."

Sd/- K.TATA RAO
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

For

To,

1. The Branch Manager, Canara Bank, ARM Brnach, Circle Office, Door No.54-15-4B, 2nd Floor, Lakshmi Aveue, Srinivas Nagar Bank Colony, Ring Road, Vijayawada - 520008.
2. Mr. Balagani Venkata Rao, S/o. Mr. Balagani Venkaiah, R/o.H.No.19-10-42, Etukuru Road, Darga Manyam, Guntur - 522 003, Cell No. 99636 37566 And Also Telugu Teacher, ZPH School, Katrapadu Village, Vatticherukuru Mandal, Guntur District - 522 017. Cell No. 99636 37566
3. Mr. CH. Basava Mohan Rao, Approved Valuer, R/o.D.No.32-27-3, Sri Nagar, Maruthi Nagar, Vijayawada-520034. (1 to 3 by RPAD- along with a copy of petition and memorandum of grounds)
4. One CC to SRI. VENKATA RAO BURLA Advocate [OPUC]
5. One spare copy

HIGH COURT

HC,J

&

RC,J

DATED:01/07/2025

LIST ON 22.07.2025

NOTICE BEFORE ADMISSION

WP.No.15623 of 2025

STATUS QUO

