

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

**WEDNESDAY, THE EIGHTH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX**

:PRESENT:

THE HONOURABLE MS JUSTICE LISA GILL

AND

THE HONOURABLE SRI JUSTICE NINALA JAYASURYA

WRIT PETITION NO: 16238 OF 2025



Between:

1. Vijaya Durga Vegetables Marchants, Rep by its Owner Prasad Mekapothula, Shop No.168, Chandramouli Market, Chilakaluripet, Guntur-522616.
2. Prasad Mekapothula, C/o Nagur, Aged 63 years, R/o D.No.25-251, Gowdapalem, Chilakaluripet, Guntur-522616.
3. Mekapothula Narayana, S/o Prasad, Age 40 Years, R/o D.No.25-251, Gowdapalem, Chilakaluripet, Guntur-522616.
4. Mekapothula Dhanalakshmi, D/o Prasad, Age 37 Years, R/o D.No.25-251, Gowdapalem Chilakaluripet, Guntur-522616.
5. Mekapothula Mahesh Kumar, S/o Prasad, Age 37 Years, R/o D.No.25-251, Gowdapalem, Chilakaluripet, Guntur-522616.

...Petitioners

AND

1. The Authorized Officer, Cholamandalam Investment and Finance Company Ltd Having its registered office at Dare House, NSC Bose Road, Chennai-600001, Chola Crest C54-55 and Super B-4, Thiru-Vi-Ka Industrial Estate, Guindy, Chennai-600032.
2. The Branch Manager, Cholamandalam Investment and Finance Company Ltd., Narasaraopet Branch, D.No.11-5, 9-1-57, No.9, Station Rd, above The Raymond shop, Arundelpet, Narasaraopeta, Andhra Pradesh 522601.

...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 any appropriate Writ, order or Direction preferably a Writ in the nature of Writ of Mandamus declaring the Demand notice issued by Respondent No.1 under Section 13(2) dated 13.10.2023, Sale notice dated 18.03.2025 and E-auction sale notice dated 20.06.2025 issued by Respondent No.1 under Section 13(8) of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002, pertaining to the property bearing D.No.25-251, Gowdapalem, Chilakaluripet, Guntur, Andhra Pradesh, and all consequential proceedings, as illegal, arbitrary, unjust, and violative of the fundamental rights guaranteed to the Petitioners under Articles 14 and 21 of the Constitution of India, and violative of the provisions of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 and consequently to set aside the E-auction Sale Notice dated 20-06-2025 and all further proceedings initiated by Respondent No. 1 for the sale of the schedule property forthwith to direct the Respondent No.1 to issue fresh statutory notices under the SARFAESI Act to all the legal heirs of the deceased mortgagor, Smt. Ramana Mekapothula (Petitioners No. 3 to 5);

IA NO: 2 OF 2025

Petition under Section 16 A Writ Rules R/w 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 may be pleased to permit the Petitioner to implead the "Cholamandalam Investment & Finance Company Ltd, Having its registered office at Dare House, Rep by its officer, NSC Bose Road, Chennai-600001, "Chola Crest", C54- 55&Super B-4, Thiru-Vi-Ka Industrial Estate, Guindy, Chennai- 600032" as party Respondent No.3 in

W.P.No.16238 of 2025, Pending disposal of WP 16238 of 2025, on the file of the High Court.

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 writ petition, the High Court may be pleased to grant stay of all further proceedings, including the E-auction sale pursuant to the notice dated 20-06-2025, and any attempt to take physical possession of the property bearing D. No: 25-251, Gowdapalem, Chilakaluripet, Guntur in pursuant to the orders in CRLMP.No.740 of 2024, Andhra Pradesh, pending disposal of WP.No.16238 of 2025, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri RAVI TEJA GUDE Advocate for the Petitioner, Sri KUNUKU RAJA SEKHAR Advocate for Respondents and the Court made the following.

ORDER:

Counter has not been filed.

Learned counsel for Respondents has submitted that certain relevant documents, which are required for insurance claim, have not been forthcoming from the petitioners.

During course of hearing, it is agreed between parties that petitioners/one of the petitioners on behalf of all, shall remain present at the office of Respondent No.2 on 10.04.2026 at 11.00 A.M. to provide all relevant documents as sought by respondents for this purpose and to explore amicable resolution.

At request, adjourned to 22.04.2026.

SD/- G.HELANAIDU
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

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To,

1. One CC to Sri Ravi Teja Gude, Advocate [OPUC]
2. One CC to Sri Kunuku Rajasekhar, Advocate [OPUC]
3. Two spare copies

HIGH COURT

LG,J&

NJS,J

DATED:08/04/2026

ADJOURNED TO 22.04.2026

ORDER

WP.No.16238 of 2025

DIRECTION

