

[3446]

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

THURSDAY, THE THIRTY FIRST DAY OF JULY
TWO THOUSAND AND TWENTY FIVE

:PRESENT:

HONOURABLE THE CHIEF JUSTICE SRI DHIRAJ SINGH THAKUR

AND

THE HONOURABLE SRI JUSTICE R RAGHUNANDAN RAO

WRIT PETITION NO: 20118 OF 2025

Between:

Tadipatti Srinivasa Rao, S/o.Raghavulu, Aged about 53years, Occ. Cement work, D.No.3-339, Srikalahasti Colony, Gudivada Rural, Krishna District.

Petitioners

AND

1. Union of India, Rep. by Under Secretary, Finance Department New Delhi.
2. The Reserve Bank of India, Rep. by its Chairman and Managing Director, Mumbai.
3. APTUS Value Housing Finance India Ltd, 8B, Doshi Towers, 8th Floor, No.205, Poonamalle high road, Killpauk, Chennai Rep. by its Chairman.
4. The Branch Manager, APTUS Value Housing Finance India Ltd., Gudivada Branch, Gudivada, Krishna District.
5. Thadiparthi Ramesh, , S/o Srinivasa Rao, aged 31 years, R/o.D.No.3-217, Near Ramalayam, Srikalahasthi colony, Mallaiahpalem Panchayat, Gudivada, Krishna District.
6. Adapa Mohan Murali Krishna, Advocate Commissioner, Machilipatnam Bar Association, Machilipatnam, Krishna District.
7. The Station House Officer, Gudivada Taluka Police Station, Gudivada, Krishna District.

Respondent

Petition under Article 226 of the Constitution of India 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

mandamus to declare the Warrant dated 01.7.2025 in CrI.M.P.No.119/2025 on the file of Chief Judicial Magistrate, Machilipatnam though the petitioner is owner and processor of the house property in an extent of 48 Sq. yards vide plot No.712 in RS.No.69 of Mallayapalem Panchayat, Gudivada Rural, Gudivada Mandal, Krishna District as the same is not secured asset by him as illegal, void and unjust without jurisdiction and set aside the Warrant dated 01.7.2025 in CrI.M.P.No.119/2025 on the file of Honble Chief Judicial Magistrate, Machilipatnam .

IA NO: 1 OF 2025

Petition under Section 151 CPC 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 all further proceedings pursuant to the Warrant dated 01.7.2025 in CrI.M.P.No. 119/2025 on the file of Hon'ble Chief Judicial Magistrate, Machilipatnam, Krishna District U/s.14(1) of The Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002, Pending disposal of WP 20118 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 B V ANJANEYULU Advocate for the Petitioners and of Additional Solicitor General of India for Respondents 1 and 2, GP FOR HOME for Respondent No.7, the Court made the following

ORDER

"Issue notice returnable in two weeks.

Personal notice is also permitted.

List on 14.08.2025.

In the meantime, status quo shall be maintained with regard to the property belonging to the petitioner."

**Sd/- K KASIRAO ACHARI
ASSISTANT REGISTRAR**

//TRUE COPY//


For ASSISTANT REGISTRAR

To,

1. The Under Secretary, Finance Department New Delhi, Union of India.
2. The Chairman and Managing Director, Reserve Bank of India, Mumbai.
3. The Chairman, APTUS Value Housing Finance India Ltd, 8B, Doshi Towers, 8th Floor, No.205, Poonamalle high road, Killpauk, Chennai.
4. The Branch Manager, APTUS Value Housing Finance India Ltd., Gudivada Branch, Gudivada, Krishna District.
5. Thadiparthi Ramesh, , S/o Srinivasa Rao, aged 31 years, R/o.D.No.3-217, Near Ramalayam, Srikalahasthi colony, Mallaiahpalem Panchayat, Gudivada, Krishna District.
6. Adapa Mohan Murali Krishna, Advocate Commissioner, Machilipatnam Bar Association, Machilipatnam, Krishna District.
7. The Station House Officer, Gudivada Taluka Police Station, Gudivada, Krishna District.(Nos. 2 to 7 by RPAD)
8. One CC to SRI. B V ANJANEYULU Advocate [OPUC]
9. **One CC to Deputy Solicitor General of India , High Court of A.P.**
10. Two CCs to GP FOR HOME, High Court of A.P at Amaravathi.
[OUT]
11. Two spare copies.

psk

HIGH COURT

HC,J &
RRR,J

DATED:31/07/2025

LIST ON 14.08.2025

ORDER

WP.No.20118 of 2025

STATUS QUO

