



APHC010408622025



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)**



THURSDAY, THE SEVENTH DAY OF AUGUST
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HON'BLE THE CHIEF JUSTICE SRI DHIRAJ SINGH THAKUR

AND

THE HON'BLE SRI JUSTICE R RAGHUNANDAN RAO

WRIT PETITION NO: 20946 OF 2025

Between:

1. M/s.Sai Venkata Amrutha Marketings, Rep. by its Managing Partner.
Koppireddy Veera Raghava- Venkata Ganesha Brahmananda Rama
Krishna, B-2, 3rd Floor, Varanasi Magestics, Dwaraka Nagar,
Visakhpatnam.
2. Koppireddy Veera Raghava Venkata Ganesha Brahmananda-
Ramakrishna, S/o. K.Brahmaji Rao, D.No.50 1 23, KSR Complex D
Block, Flat 301, Seethammadhara, Visakhapatnam, Andhra Pradesh.

...Petitioners

AND

1. Canara Bank, Rep. by its Authorized Officer, Kakinada Nagamallithota
Branch (2765), 67-15-30, I Floor, Paradise-1, Nagamallithota Junction,
Pitampura Road, Kakinada District.
2. The Chief Manager, Canara Bank, Kakinada Nagamallithota Branch
(2765), #67-15-30, I Floor, Paradise-1, Nagamallithota Junction,
Pitampura Road Kakinada District.

...Respondents

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 a direction, more particularly one in the nature of Writ of Mandamus, declaring the action of the respondent Nos.1 and 2 in issuing sale notice dated 05.07.2025 in Ref. No.04/6940/ROK/Auction-2765/2025 without considering my representation dated 04.06.2025 for settlement, passing of the rejection communication dated 10.07.2025 as illegal, irregular, arbitrary and violation of the provisions of the Securitization And Reconstruction of Financial Assets and Enforcement of Security Interest Act. 2002 and Rules framed there under and also offends Articles 14, 21 and 300-A of Constitution of India, and consequentially quash the proceedings initiated under Securitization And Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 against the petitioners including sale notice dated 05.07.2025 in Ref. No.04/6940/ROK/Auction-2765/2025 issued by the bank authorities. ✓

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 stay all further proceedings including e-auction of the mortgaged properties pursuant to the auction notice dated 05.07.2025 in Ref. No.04/6940/ROK/Auction-2765/2025 against the petitioners account bearing account Nos.2765261001053 and 170004309997 pending disposal of the main writ petitions. ✓

Counsel for the Petitioners: SRI MANGENA SREE RAMA RAO ✓

Counsel for the Respondents: SRI T B L MURTHY ✓

The Court made the following order:



WRIT PETITION NO: 20946 of 2025

M/s.Sai Venkata Amrutha Marketings and others

...Petitioners

Vs.

Canara Bank and others

...Respondents

Advocate for Petitioners:

Mr. Mangena Sree Rama Rao

Advocate for Respondents:

Mr. T. B. L. Murthy

CORAM : THE CHIEF JUSTICE DHIRAJ SINGH THAKUR
SRI JUSTICE R. RAGHUNANDAN RAODATE : 7th August, 2025.P C :

The petitioner claims that, till such time as his offer for One Time Settlement (OTS) is considered by the Bank, proceedings initiated under the SARFAESI Act be stalled.

2. We do not accept the proposition that there is any indefeasible right vested in the petitioner to seek stay of the proceedings pending the consideration of One Time Settlement, especially after the account of the petitioner had been declared as an NPA.

3. In any case it shall be open to the petitioner to approach the Bank and if they so wish, the request for OTS can be considered. However, this should

not be taken as a Mandamus from the Court and it shall be open to the Bank to take appropriate call on its own.

4. This writ petition is, accordingly, dismissed.

No order as to costs. Pending miscellaneous applications, if any, in this petition shall stand closed.

//TRUE COPY//

Sd/- M.RAMESH BABU
DEPUTY REGISTRAR

AB
SECTION OFFICER

To,

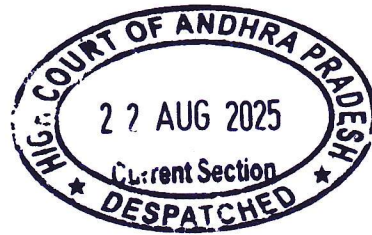
1. One CC to Sri Mangena Sree Rama Rao, Advocate [OPUC]
2. One CC to Sri T B L Murthy, Advocate [OPUC]
3. Two CD Copies

TF

HIGH COURT

DATED:07/08/2025

**ORDER
WP NO. 20946 OF 2025**



DISMISSING THE W.P., WITHOUT COSTS