

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

**TUESDAY, THE TWENTY FIFTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY FIVE**

: PRESENT:

HONOURABLE SRI JUSTICE CHEEKATI MANAVENDRANATH ROY

AND

HONOURABLE SRI JUSTICE TUHIN KUMAR GEDELA

WRIT PETITION NO: 25042 OF 2025



Between:

1. N Vijaya Krishna, son of Mala Kondaiah, aged 66 years, residing at D.No.C-2, Lakshmi Residency, First Cross, Akshya Shetty Layout, Sadasiva Nagar, Bangalore, Karnataka State
2. N.Vijaya, wife of N.Vijaya Krishna, aged 56 years, residing at D.No.C-2, Lakshmi Residency, First Cross, Akshya Shetty Layout, Sadasiva Nagar, Bangalore, Karnataka State

Petitioners

AND

1. The Union of India, Rep. by its Secretary to Government of India Department of Finance, New Delhi.
2. The Authorized Officer, M/s Shri Ram Finance Limited, A company Registered under the Companies Act 1956 and having its registered office at 123, Angappa Naicken Street, Chennai- 600001.
3. The Branch Manager, M/s Shri Ram Finance Limited Branch Office at AK Nagar, Nellore District.

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 more particularly one in the nature of WRIT OF MANDAMUS declaring the action of respondents, particularly 3rd respondent in attempting to conduct sale and dispossess the petitioner from mortgaged property without registering the mortgaged property in CERSAI within stipulated time as per rule 5 of SECURITISATION AND RECONSTRUCTION OF FINANCIAL ASSETS AND ENFORCEMENT OF SECURITY INTEREST (CENTRAL REGISTRY) RULES, 2011 and in violation of Section 26D as illegal, arbitrary and violative of Articles 14 and 21 of the Constitution of India and consequently set aside sale notices 07.08.2025 and order of appointment of Advocate Commissioner by CrI.MP.No.162/2024 of Hon'ble Chief Judicial Magistrate, Nellore

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 suspend the sale notice Dt.07.08.2025 schedule to be held on 15.09.2025 and not to dispossess the petitioner from the mortgaged property, Pending disposal of WP No.25042 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 the earlier order of the High Court dated 16.09.2025 & 14.10.2025 made herein and upon hearing the arguments of Sri Venkata Narayana Rao Vedula, Advocate for the Petitioner, and of Additional Solicitor General of India for Respondent No.1, the Court made the following

ORDER

Counter-affidavit not filed.

At request, for filing counter-affidavit, list the matter on 23.12.2025.

Interim Order granted earlier shall stand extended till then.

SD/-A.VIJAYA BABU
DEPUTY REGISTRAR

//TRUE COPY//


SECTION OFFICER

TO

1. One CC to Sri Venkata Narayana Rao Vedula, Advocate [OPUC]
2. One CC to Sri O Udaya Kumar, Advocate [OPUC]
3. One CC to Sri Bachina Hanumantha Rao, Advocate [OPUC]
4. One CC to Additional Solicitor General of India, High Court of AP [OPUC]
5. One spare copy

HIGH COURT

CMR, J

&

GTK,J

DATED: 25/11/2025

LIST THE MATTER ON 23.12.2025

ORDER

WP.No.25042 of 2025

INTERIM ORDER EXTENDED

