

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

TUESDAY, THE SEVENTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY THREE

:PRESENT:

**THE HONOURABLE SRI JUSTICE A V SSHA SAI
AND
THE HONOURABLE SMT JUSTICE SUMATHI JAGADAM
WRIT PETITION NO: 29128 OF 2023**



Between:

M/s. Lakshmi Finance Private Limited, A company incorporated under provisions of Companies Act, 2013 Having its Registered Office at 8-1-1/1, Balaji Nagar, Karakachettu Polamamba Road, Siripuram, Visakhapatnam-530003. Rep by its Managing Director, V. Prabhu Kishore

... PETITIONER

AND

1. Canara Bank, 26-14-31, Annapurana Devi Road, Gandhinagar Branch, Vijayawada-520003. Rep by its Chief Manager/Authorised Officer.
2. The Regional Manager, Canara Bank, Regional Office, Gurunanak Colony, Vijayawada-8.

.. RESPONDENT

WHEREAS the Petitioner above named through its Advocate Sri N. Ashwani Kumar, presented this 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, one more particularly in the nature of "Writ of Mandamus" declaring the action of the Respondents, more particularly, Respondent No.1 in failing to handover the physical possession of the auctioned property admeasuring an extent of 7853 Sq.Yards in Patta No.324, Revenue Ward No.4, Sy.No.164/1 of Paradesipalem Village, Chinagadili Mandal, Visakhapatnam District, after duly conducting the survey, to the Petitioner as being illegal, arbitrary, in violation of Rule 9(9) of Security Interest (Enforcement) Rules, 2002 and in violation of Article 14, 19(1)(g) and 300-A of the Constitution of India and Consequently direct the Respondents to handover the physical possession of the auctioned property admeasuring an extent of 7853 Sq.Yards in Patta No.324, Revenue Ward No.4, Sy.No.164/1 of Paradesipalem Village, Chinagadili Mandal, Visakhapatnam District after duly conducting survey for the determination of the extent and to fix/ frame the boundaries, to the Petitioner, and Consequently direct the Respondents to pay interest on the sale consideration till the date of handing over of the physical possession of the subject property to the Petitioner to compensate for the abnormal delay caused;

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri N. Ashwani Kumar, 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 Chief Manager/Authorised Officer, Canara Bank, 26-14-31, Annapurana Devi Road, Gandhinagar Branch, Vijayawada-520003.
2. The Regional Manager, Canara Bank, Regional Office, Gurunanak Colony, Vijayawada-8.

— 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 affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted, on or before 15.11.2023, on which date the case stands posted for hearing.

— The Court made the following ORDER:

"Issue notice to the respondents.

Learned counsel for the petitioner is permitted to take out personal notice to the respondents by Registered Post with Acknowledgment Due and file proof of service into the registry.

Post on 15.11.2023."

**Sd/- B. CHITTI JOSEPH
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

For

— To,

1. The Chief Manager/Authorised Officer, Canara Bank, 26-14-31, Annapurana Devi Road, Gandhinagar Branch, Vijayawada-520003.
2. The Regional Manager, Canara Bank, Regional Office, Gurunanak Colony, Vijayawada-8. (Addressee Nos. 1 & 2 by RPAD- along with a copy of petition and affidavit)
3. One CC to SRI. N ASHWANI KUMAR Advocate [OPUC]
4. One spare copy

KJ

HIGH COURT

**AVSS,J &
JS,J**

DATED:07/11/2023

POST ON 15.11.2023

NOTICE BEFORE ADMISSION

WP.No.29128 of 2023

