

(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH: AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)
WEDNESDAY, THE SEVENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY FOUR
:PRESENT:
THE HONOURABLE SRI JUSTICE A V SSHA SAI
THE HONOURABLE SMT JUSTICE SUMATHI JAGADAM



WRIT PETITION NO: 30145 OF 2023

Between:

Sri Vadde Venkata Subbaiah, s/o late Subbaramayya, Hindu, aged 63 years,
resident of 48-1-43, Srinagar, Visakhapatnam.

... Petitioner

AND

1. The IDBI Bank Limited, having its Regd. Office at IDBI Tower, WTC Complex, Cuffe Parade, Colaba, Mumbai - 400 005, reptd., by its Managing Director and CEO.,
2. The Branch Manager, IDBI Bank Limited, Mahavir House, Basheer Bagh Square, Hyderabad - 500 029, Telangana State.
3. The Registrar, Debts Recovery Tribunal, 31-31-21, Narayana Bhavanam, Saibaba Street, Dabagardens, Visakhapatnam.
4. The Recovery Officer, Debts Recovery Tribunal, 31-31-21, Narayana Bhavanam, Saibaba Street, Dabagardens, Visakhapatnam.

...Respondents

WHEREAS the Petitioner above named through their Advocate Sri V V Ravi Prasad 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 an order, direction, or a writ, more particularly one in the nature of a writ of Mandamus, declaring the Orders of the learned DRT., Visakhapatnam in OA Nos. 151/2017 dated 24/05/2019, OA No. 159/2017 dated 03/04/2019, and OA No. 162/2017 dated 02/05/2017, and the Recovery Proceedings in RP No. 750/2019 in, OA No. 161/2017 dated 10/08/2023, RP Nos. 708/2019 in OA No. 159/2017 dated 28/07/2023, and RP No. 744/2019 in OA No. 162/2017 dated 17/08/2023 issued as being illegal, unenforceable, vitiated fraud and mistake and unconscionable apart from being violative of the rights guaranteed to the petitioner under Article 300-A of the Constitution of India, the benefit of which was passed on to various purchasers through him by conveyances and for a consequential order to forbear the respondents from enforcing the orders in OA Nos. 151/2017 dated 24/05/2019, OA No. 159/2017 dated 03/04/2019, and OA No. 162/2017 dated 02/05/2017, and the Recovery Proceedings in RP No. 750/2019 in OA No. 161/2017 dated 10/08/2023, RP Nos. 708/2019 in OA No. 159/2017 dated

28/07/2023, and RP No. 744/2019 in OA No. 162/2017 dated 17/08/2023 by way of the impugned Notices to Settle the Sale Proclamations relating to the properties mentioned in the schedule appended thereto and to pass

AND WHEREAS the High Court upon perusing the petition and affidavit/memorandum of grounds filed herein and upon hearing the arguments of Sri V V Ravi Prasad, 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 Managing Director and CEO, The IDBI Bank Limited, having its Regd. Office at IDBI Tower, WTC Complex, Cuffe Parade, Colaba, Mumbai - 400 005.
2. The Branch Manager, IDBI Bank Limited, Mahavir House, Basheer Bagh Square, Hyderabad - 500 029, Telangana State.
3. The Registrar, Debts Recovery Tribunal, 31-31-21, Narayana Bhavanam, Saibaba Street, Dabagardens, Visakhapatnam.
4. The Recovery Officer, Debts Recovery Tribunal, 31-31-21, Narayana Bhavanam, Saibaba Street, Dabagardens, Visakhapatnam.

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 herewith (copy enclosed) this WRIT PETITION should not be admitted.

The Court made the following:

ORDER:

Notice before admission.

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

Post after four (04) weeks.

Sd/- K. Kasirao Achari

ASSISTANT REGISTRAR

For ASSISTANT REGISTRAR

//TRUE COPY//

To,

1. The Managing Director and CEO, The Idbi Bank Limited, having its Regd. Office at IDBI Tower, WTC Complex, Cuffe Parade, Colaba, Mumbai - 400 005.
2. The Branch Manager, IDBI Bank Limited, Mahavir House, Basheer Bagh Square, Hyderabad - 500 029, Telangana State.

3. The Registrar, Debts Recovery Tribunal, 31-31-21, Narayana Bhavanam, Saibaba Street, Dabagardens, Visakhapatnam.
4. The Recovery Officer, Debts Recovery Tribunal, 31-31-21, Narayana Bhavanam, Saibaba Street, Dabagardens, Visakhapatnam. (by RPAD- along with a copy of petition and memorandum of grounds)
5. One CC to Sri. V V Ravi Prasad Advocate [OPUC]
6. One CC to SRI. Advocate [OPUC]
7. one spare copy

svp

HIGH COURT

AVSS,J & JS,J

DATED:07/02/2024

NOTE: POST WITHIN FOUR (04 WEEKS)

NOTICE BEFORE ADMISSION

WP.No.30145 of 2023

