

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

**WEDNESDAY, THE TWENTY FOURTH DAY OF DECEMBER  
TWO THOUSAND AND TWENTY FIVE**

**:PRESENT:**

**THE HONOURABLE SRI JUSTICE R RAGHUNANDAN RAO**

**AND**

**THE HONOURABLE SRI JUSTICE T.C.D.SEKHAR**

**WRIT PETITION NO: 36230 OF 2025**



**Between:**

Nallagorla Srinivasa Rao, S/o. Chennaiah, aged about 31 years, R/o. D.No.1-59/A, Old Tank Opp. Road, Sivareddypalem, Guntur, Guntur District, Andhra Pradesh - 522509.

**... Petitioner**

**AND**

1. The Fedbank Financial Services Limited, Rep. by its Authorized Officer, Branch Office - 1-Town, Chitti Nagar, Upstairs of Alankar Bakery, 52001 Vijayawada, Andhra Pradesh.
2. The Debt Recovery Tribunal, Rep. by its registrar, Visakhapatnam, Andhra Pradesh-530020

**... 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 an order, direction or writ, more particularly one in the nature of Writ of Mandamus, declaring the action of the 1st respondent in initiating the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002, proceedings under Section 14 by filing CrI.M.P. 768 of 2025 on the file of the Court of the Chief Judicial Magistrate cum Principal Assistant Sessions Judge cum Principal Senior Civil Judge, Guntur without Section 13 (2) and (4) notices and inaction of the Debt Recovery Tribunals (DRT), Visakhapatnam, in considering I.A. No. 4441 of 2025 in

Securitisation Application (SA) No.694 of 2025, particularly in view of the imminent threat of dispossession through illegal actions as arbitrary, illegal, capricious and violative of provisions of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 and the Security Interest (Enforcement) Rules 2002, devoid of principles of natural justice and unconstitutional and consequently direct the respondent not to proceed further pursuant to the notice dated 07.11.2025 of the Advocate Commissioner as per the directions in CrI.M.P. No. 768 of 2025 of the Chief Judicial Magistrate, Guntur, till disposal of Interlocutory Application No. 4441 of 2025 in S.A.No.694 of 2025.

**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 direct the respondent bank not to disposses or interfere with the peaceful possession of house property vide Door No.371, Municipal Assessment No.1021145071 situated in D.No. 1-59/A of Reddypalem Village, Guntur Municipal Corporation limits till disposal of Interlocutory Application No. 4441 of 2025 in S.A.No.694 of 2025, Pending disposal of WP 36230 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 Vinod Kumar Pemmasani Advocate for the Petitioner and the Court made the following.

**ORDER:**

**“The petitioner has approached this Court being aggrieved by the steps being taken to dispossess the petitioner from the mortgage property, though no notice had been served on the petitioner either Section 13(2) or 13(4) of the SARFAESI Act and also on the ground that**

the said steps for dispossession being taken despite the pendency of I.A.No.4441 of 2025 in S.A.No.694 of 2025 pending before the DRT, Visakhapatnam.

Learned counsel for the petitioner is permitted to take out personal notice to respondent No.1 by RPAD and file proof of service by the next date of hearing.

Post on 05.01.2026.

In the meanwhile, there shall be stay of further proceedings including proceedings under Section 14 in CrI.M.P.No.768 of 2025 on the file of Chief Judicial Magistrate-Cum-Principal Assistant Sessions Judge-Cum-Principal Senior Civil Judge, Guntur.”

SD/- K.TATA RAO  
DEPUTY REGISTRAR

//TRUE COPY//

  
SECTION OFFICER

For

To,

1. The Chief Judicial Magistrate-Cum-Principal Assistant Sessions Judge-Cum-Principal Senior Civil Judge, Guntur.
2. The Authorized Officer, Fedbank Financial Services Limited, Branch Office - 1-Town, Chitti Nagar, Upstairs of Alankar Bakery, 52001 Vijayawada, Andhra Pradesh.
3. The Registrar, Debt Recovery Tribunal, Visakhapatnam, Andhra Pradesh-530020 (Addressee Nos.2 & 3 By RPAD)
4. One CC to Sri Vinod Kumar Pemmasani Advocate [OPUC]
5. One spare copy

MM

HIGH COURT

RRR,J

&

TCDS,J

DATED:24/12/2025

Post on 05.01.2026.

ORDER

WP.No.36230 of 2025

STAY

