

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

WEDNESDAY, THE TWENTY NINTH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

:PRESENT:

THE HONOURABLE SRI JUSTICE BATTU DEVANAND
AND

THE HONOURABLE SRI JUSTICE A. HARI HARANADHA SARMA

WRIT PETITION NO: 36714 OF 2025



Between:

1. M/s.Bhagya Lakshmi Traders, Represented by its Managing Partner Siva sankara rao sadhu S/o.Subramanyam, Having office at D.no23-11-124, 3rd Floor, Sadhu Complex, Eluru Bazar, Guntur, AP.
2. Siva Sankara Rao Sadhu, S/o. Subramanyam, Bussiness.
3. Lalitha Sri Sadhu, W/o.Siva Sankara rao sadhu.

(The Petitioners No.2 and 3 are R/o.Door no 3-14-41,5A, Rams Gokul Residency, 1st line, Pattabhipuram, Guntur)

Petitioners

AND

1. M/s.IDFC First Bank Limited, (Erstwhile Capital First Ltd & Amalgamated with IDFC Bank Ltd), Ashar IT Park, Unit No.B-3, Road NO.16Z, Wagle Industrial Estate, Thane (WEST) 400 604, Maharashtra, Having its registered office at KRM Towers, 7th Floor, No.1, Harrington Road, Chetpet, Chennai-60003, being represented by its Legal debt Manager,
2. Bejjam Ravi Kumar, Advocate Commissioner CrI.MP.No 1108/2025, Principal Senior Civil judge cum Chief Judicial Magistrate Court Complex, Guntur

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 any Writ, Order or direction more particularly one in the nature of Writ of Mandamus, declare the impugned Order dated 19.11.2025 in Crl.M.P.No.1108 of 2025 on the file of the Principal senior civil judge chief judicial magistrate, Guntur under Section 14 of the Securitization and cum Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 appointing 2nd respondent as the advocate commissioner and directing him to deliver physical possession of the property from the hands of the petitioner to the 2nd respondent & consequential Pre-intimation notice dated 11-12-2025 and 1st visit notice dated 17-12-2025 issued by the 2nd respondent against the petitioners as illegal, invalid, unsustainable, contrary to law and unconstitutional and further declare the action of respondents in trying to dispossess the petitioners from schedule property without following due process of law as bad, illegal, arbitrary, unjust, improper, contrary to the provisions of Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 and Rules thereunder, contrary to law and in violation of the Article 14, 21 and 300-A of the Constitution of India and consequently, direct the respondents to not to interfere with the peaceful possession and enjoyment of the schedule property;

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 direct the respondents not to interfere with the peaceful possession of the schedule property by suspending the orders of the Crl.M.P.No.1108 of 2025 at Principal senior civil judge cum chief judicial magistrate, Guntur, Pending disposal of WP 36714 of 2025, on the file of the High Court.

IA NO: 2 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 direct the respondent to take the balance pending amount of Rs.65,27,000/- (Rupees sixty five lakhs twenty seven thousand only) of 30% of

the OTS settlement letter dated: 07-10-2024 which the petitioners are ready to pay since January 2025 to till date and got cheated by the words of the 1st respondent bank staff Anil (Guntur Collections) saying that they will get OTS Settlement extension letter or New OTS letter by believing their words the petitioners already paid Rs. 1,56,50,000/- till February 2025 i.e 70% of the of the OTS settlement letter dated: 07-10-2024 as the 1st respondent is vicariously liable for the acts of 1st respondent bank staff, Pending disposal of WP 36714 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 SODUM ANVESHA Advocate for the Petitioners, Sri CHAKRAVARTHY P V S K Advocate for Respondent No.1 and the Court made the following.

ORDER

Learned counsel for the petitioners would submit that as the proposal made for one time settlement for payment of Rs.2,91,77,000/-, the Writ Petitioners have paid Rs.1,06,50,000/- as on 31.12.2024 and again paid Rs.50,00,000/- as on 28.02.2025. The said payment is after the time fixed and that the Writ Petitioners are ready to pay in terms of proposal.

However, the learned counsel for Bank stated that it was a conditional offer, having failed to comply the condition, the Writ Petitioners cannot insist since possibility of Negotiable settlement is apprehend from the record the parties are given liberty to work out the remedies to submit the proposals by the next date.

A letter is also submitted vide letter dated 09.12.2025, for which the learned Standing Counsel for Bank sought time for getting instructions.

Post on 17.06.2026.

The matter is referred to Lok Adalath scheduled on 09.05.2026 and parties are directed to appear before Lok Adalath.

Sd/-U.Sri Devi,
DEPUTY REGISTRAR

SECTION OFFICER

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To,

1. The Secretary, High Court Legal Services Committee, High Court of A.P. at Amaravati.
2. The Legal debt Manager, M/s.IDFC First Bank Limited, (Erstwhile Capital First Ltd & Amalgamated with IDFC Bank Ltd), Ashar IT Park, Unit No.B-3, Road NO.16Z, Wagle Industrial Estate, Thane (WEST) 400 604, Maharashtra, Having its registered office at KRM Towers, 7th Floor, NO.1, Harrington Road, Chetpet, Chennai-60003
3. The Managing Partner, Siva sankara rao sadhu S/o.Subramanyam, M/s.Bhagya Lakshmi Traders, Having office at D.no23-11-124, 3rd Floor, Sadhu Complex, Eluru Bazar, Guntur, AP.
4. Siva Sankara Rao Sadhu, S/o. Subramanyam, Bussiness,
5. Lalitha Sri Sadhu, W/o.Siva Sankara rao sadhu, (addressee 4 and 5 are residing at Door no 3-14-41,5A, Rams Gokul Residency, 1st line, Pattabhipuram, Guntur) (addressee 3 to 5 by **SPEED POST**)(**ALL THE PARTIES ARE DIRECTED TO FOR APPEARANCE BEFORE LOK ADALATH SCHEDULED ON 09.05.2026**)
6. One CC to SRI. SODUM ANVESHA Advocate [OPUC]
7. One CC to SRI. CHAKRAVARTHY P V S K Advocate [OPUC]
8. The Section Officer, Writ (DB) Section, High Court of Andhra Pradesh at Amaravati.
9. Two spare copies

HIGH COURT

DEV,J&
AHHS,J

DATED:29/04/2026

POST ON 17.06.2026

ORDER

WP.No.36714 of 2025

FOR APPEARANCE

