

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

FRIDAY, THE SIXTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FOUR

:PRESENT:

HONOURABLE SRI DHIRAJ SINGH THAKUR, THE CHIEF JUSTICE

AND

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

WRIT PETITION NO: 25641 OF 2024



Between:

M/s. Union Bank of India (erstwhile Andhra Bank), Rep. by its Assistant General Managers and Authorized Officer Saroj Kumar Mohanty, S/o (Late) Padmacharan Mohanty, Aged about 50 years, Asset Recovery Branch Door No.26-15-150, Union Bank Building, Changalrao peta, Visakhapatnam - 530001

....Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Revenue (Stamps and Registration) Department, Secretariat Buildings, Velagapudi, Amaravati, Guntur District.
2. The Commissioner and Inspector General, Stamps and Registration Department, V-Square, K.S.R. Park Road, Ward No.2, Tadepalli, Guntur District, Andhra Pradesh - 522501.
3. The District Registrar, Stamps and Registration Department, Vijayawada, Krishna District.
4. The Joint Sub-Registrar, Sub-Registrar Office-1, Gandhinagar, Vijayawada, Krishna District.
5. Sub Registrar, Sub-Registrar Office-1, Gandhinagar, Vijayawada, Krishna District

6. The Competent Authority cum- Addl. Director General of Police, Crime Investigation Department, A.P., Mangalagiri.
7. Smt. Lavanya Cherukuri, D/o Rammohan Rao Yadldpati, R/o D.No.58, Ukkamperumbakkam, Mathur, Tiruvannamalai, Tamilnadu-631701.
8. M/s.Agri Gold Farm Estates Private Limited, represented by its Chairman-Sri Avva Venkata Rama Rao, S/o.A.V.Appa Rao, aged about 60 years, R/o.D.No.23-35-39, Lakshmi Nagar, Satyanarayanapuram, Vijayawada, Andhra Pradesh.

(Respondent No.8 was impleaded as per.co.dt.06.12.2024 in W.P.No.25641 of 2024)

...Respondents

WHEREAS the Petitioner above named through its Advocate SRI HANUMANTHA RAO BACHINA 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 or direction more particularly one in the nature of Writ of Mandamus, declaring the action of the Respondent Nos.1 to 5 in not deleting the Petition Scheduled property i.e. Item No. 10 of the respondent No.7 of B-Schedule properties from the prohibited list of properties and consequently not receiving the Sale Certificate in respect of the said properties vide No. IN-AP21253590386713W, dt.17.09.2024 and not process the same for registration in favour of the Respondents No.7 under the guise of the alleged CR.No.3/2015, West Godavari, submitted by the 6th respondent, is arbitrary, illegal and contrary, in violation of fundamental rights of the petitioner and in violation of the provisions of the SARFAESI Act 2002 by setting aside the same and consequently. A) direct the respondent Nos.1 to 5 to delete the petition schedule properties form the Prohibitory category, B) to receive the Sale Certificates issued in favour of the respondent No.7, process the same for registration and release the same to them in the interest of justice

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri HANUMANTHA RAO BACHINA, Advocate for the Petitioner, and of GP FOR REGISTRATION & STAMPS, for the Respondent Nos.1 to 5, and of SRI M.LAKSHMI NARAYANA, Standing Counsel for the Respondent No.6, directed issue of notice to the Newly added Respondent herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

M/s. Agri Gold Farm Estates Private Limited, represented by its Chairman-Sri Avva Venkata Rama Rao, S/o.A.V.Appa Rao, aged about 60 years, R/o.D.No.23-35-39, Lakshmi Nagar, Satyanarayanapuram, Vijayawada, Andhra Pradesh.

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 03.01.2025, to which date the case stands posted for hearing.


The Court made the following: ORDER

“M/s. Agri Gold Farm Estates Private Limited, represented by its Chairman - Sri Avva Venkata Rama Rao, S/o. A. V. Appa Rao, aged about 60 years, R/o. D.No.23-35-39, Lakshmi Nagar, Satyanarayanapuram, Vijayawada, Andhra Pradesh” shall be impleaded as a party respondent in W.P.Nos.25641 & 25697 of 2024 also subject to just exceptions and shall figure as respondent Nos.8 and 11 respectively.

Issue notice to the newly added respondents.

List on 03.01.2025.

//TRUE COPY//

Sd/-Sk.Md.Rafi
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Chairman-Sri Avva Venkata Rama Rao, S/o.A.V.Appa Rao, aged about 60 years, M/s.Agri Gold Farm Estates Private Limited, R/o.D.No.23-35-39, Lakshmi Nagar, Satyanarayanapuram, Vijayawada, Andhra Pradesh. (by RPAD- along with a copy of petition and affidavit)
2. One CC to SRI. HANUMANTHA RAO BACHINA, Advocate [OPUC]
3. Two CCs to GP FOR REGISTRATION AND STAMPS ,High Court Of Andhra Pradesh. [OUT]
4. One CC to SRI M.LAKSHMI NARAYANA, Standing Counsel [OPUC]
5. Two spare copies

PSR

HIGH COURT

**HC,J
&
RC,J**

DATED:06/12/2024

NOTE: LIST ON 03.01.2025.

NOTICE BEFORE ADMISSION

WP.No.25641 of 2024

