

THE HON'BLE SRI JUSTICE R.SUBHASH REDDY

AND

THE HON'BLE SRI JUSTICE A.SHANKAR NARAYANA

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WRIT PETITION No.26849 of 2015

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ORDER: *(Per Hon'ble Sri Justice R.Subhash Reddy)*

Heard learned counsel for the petitioners and learned counsel appearing for the respondents.

In this writ petition, the petitioners seek a Mandamus to declare the action of the respondents in not recording full satisfaction of the loan availed by the petitioners through Account Nos.30903692742 and 30343182929 respectively, in spite of repayment of total outstanding amounts, as illegal and arbitrary, and also questioned the steps being taken by the respondents under SARFAESI Act and the orders dated 20.03.2015 passed in Crl.M.P.No.53 of 2015 by the Chief Judicial Magistrate-cum-Principal Senior Civil Judge, Ongole.

A detailed counter affidavit is filed, explaining the amounts paid by the petitioners and the balance amount payable by them against their loan accounts. Along with the counter, a copy of the certificate dated 18.09.2015 issued by the 1st respondent Bank is filed showing an amount of Rs.4,73,090/- payable as on 18.09.2015.

In view of the details given in the counter affidavit and also the material placed before this Court, it appears some amounts are still payable by the petitioners. In that view of the matter, the relief of declaration as sought for cannot be granted. If there is any discrepancy in adjustment of amounts in the accounts of petitioners, it is open to them to make a representation to the 1st respondent Bank, but having regard to the contents in the counter affidavit, we do not find any merit in this writ petition.

Granting liberty to the petitioners to approach the 1st respondent Bank by way of representation, the Writ Petition is closed.

As a sequel, pending miscellaneous petitions, if any, shall stand closed. No

order as to costs.

JUSTICE R.SUBHASH REDDY

JUSTICE A.SHANKAR NARAYANA

04.11.2015

v v