

**HON'BLE SRI JUSTICE R.SUBHASH REDDY**  
**AND**  
**HON'BLE SRI JUSTICE A.SHANKAR NARAYANA**

**WRIT PETITION No.31627 of 2015**

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

In this writ petition, the petitioner has questioned the auction notice dated 04.08.2015 and e-auction conducted on 11.09.2015 for selling his land admeasuring 1.04 cents covered by Sy.Nos. 22/13, 22/37, 22/38 and 22/14 of Mamuidipalem Village, Ongole Mandal, Prakasam District, as illegal and arbitrary.

It is the case of the petitioner that he is a co-obligant and that the property in question is an agricultural land, which is exempted from sale under Section 31 (i) of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short, 'the Act').

The auction purchaser is not made as party to the writ petition. Further, if the petitioner is aggrieved by the auction on any ground, he has a remedy of filing Securitisation Application under Section 17 of the Act. There is no reason to entertain this writ petition, in view of the availability of remedy under Section 17 of the Act and further appeal under Section 18 of the Act.

Accordingly, the Writ Petition is dismissed at the stage of admission, granting liberty to the petitioner to approach the authority under Section 17 of the Act.

As a sequel, pending miscellaneous petitions, if any, shall stand closed. No order as to costs.

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**JUSTICE R. SUBHASH REDDY**

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**JUSTICE A.SHANKAR NARAYANA**

29.09.2015

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