

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY
AND
THE HON'BLE SRI JUSTICE G.SHYAM PRASAD

WRIT PETITION No.8172 of 2016

-
29.07.2016

Between:

A.Titus Rajender and others

..Petitioners

And

Pubjab National Bank,
Hyderabad and others

..Respondents

Counsel for the petitioners: None appeared

Counsel for respondent Nos.1 to 3: Mr.Ambadipudi Satyanarayana

Counsel for respondent Nos.4 to 20:--

The Court made the following:

-

-

-

-

-

-

-

-

-

-

ORDER: (Per the Hon'ble Sri Justice C.V.Nagarjuna Reddy)

This writ petition is filed for a *mandamus* to set aside the auction notice, dated 29.02.2016, issued by respondent Nos.1 to 3, fixing the date of auction as 14.03.2016 in respect of land admeasuring Acs.57.24 guntas forming part of survey Nos.36, 37, 58 and 59 of Kaverampet, Jadcherla, Mahabubnagar Town District, Telangana State.

2. Mr.Ambadipudi Satyanarayana, learned counsel for respondent Nos.1 to 3, has submitted that the main borrower i.e., respondent No.5 filed W.P.No.25171 of 2016 questioning the measures taken under the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short 'the SARFAESI Act') including the auction notice, dated 27.06.2016, and that after hearing both sides, this Court dismissed the same by order, dated 28.07.2016. He has further submitted that in this writ petition the petitioners, who claimed to be the devotees of the Church under the management of respondent No.5, have challenged the previous auction notice, dated 29.02.2016, fixing the date of auction as 14.03.2006 and that as no auction could take place in pursuance of the said notice, the later auction notice, dated 27.06.2016, was issued and challenge to which was repelled by this Court in the above W.P.No.25171 of 2016.

3. Inasmuch as this writ petition is filed questioning the previous auction notice, which became abortive, the writ petition has become infructuous. Moreover, even W.P.No.25171 of 2016, which was filed by the principal borrower – respondent No.5 questioning the later auction notice itself was dismissed.

4. In the light of the above facts, we find no merit in this Writ Petition

and the same is, accordingly, dismissed.

5. As a sequel to dismissal of the writ petition, W.P.M.P.No.10362 of 2016 filed by the petitioners for interim relief shall stand dismissed as infructuous.

C.V.NAGARJUNA REDDY, J

G.SHYAM PRASAD, J

29th July, 2016
GHN