

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.22945 of 2016

ORDER:

This writ petition is filed seeking the following prayer:

“..to issue an order or direction or Writ, more particularly one the nature of Writ of Mandamus declaring the action of the respondents in not considering the representation of the petitioner dated 18.06.2016 (received by the respondents on 20.06.2016) for receiving the outstanding amounts under loan accounts bearing Nos.01092790000610 & 01092790000290 and releasing the documents of a residential property bearing D.No.32-30-14/3, Assessment No.244B, N.T.S.No.40, Block No.13, Revenue Ward No.16, Municipal Ward No.27/3 of Maruthi Nagar, Machavaram, Vijayawada, Krishna District, bearing registered Document 2694 of 1990 on the file S.R.O.Vijayawada, Krishna District, from the mortgage as illegal, arbitrary, unjust and against the right to property guaranteed under Article 300-A of the Constitution of India and to pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

The case of the petitioner-firm is that it is in furniture business having its offices in Hyderabad, Vijayawada and Guntur. For the purpose of its business, the petitioner-firm has availed loans from the respondents under different accounts and two such accounts are bearing Nos. 01092790000610 & 01092790000290 by duly mortgaging residential property. The amount availed under the said loans are Rs.15,00,000/- each and the petitioner-firm is repaying the loan amounts to the respondents regularly. As of now, the outstanding amount under the said two loan accounts is Rs.3,11,804/- and Rs.3,13,828/- respectively. The Managing Partner of the firm submitted an application on 18.06.2016 to the respondents requesting them to receive the outstanding amounts and to release the property from the mortgage. As the respondents have not passed any orders, this Writ Petition is filed.

In view of the above facts and circumstances, the respondents-bank is directed to dispose of the application dated 18.06.2016 filed by the petitioner in accordance with law and communicate the same to the petitioner.

With the above directions and observations, this Writ Petition is disposed of. No costs.

As a sequel, miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY,J

Date: 20-07-2016

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