

HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

AND

HON'BLE SRI JUSTICE G.SHYAM PRASAD

Writ Petition No.9570 of 2016

Date:15.9.2016

Between:

Reddy Surya Rao,

S/o Demudu

..... Petitioner

And:

The UCO Bank, Hyderabad,
reptd by its General Manager
and five others.

....Respondents

Counsel for the petitioner: Mr. R.Siva Sai Swaroop

Counsel for respondent Nos.1 & 2: Mrs. V.Dyumani

Counsel for respondent No.6: Mr. V.Ravinder Rao

The Court made the following:

ORDER: *(per Hon'ble Sri Justice C.V.Nagarjuna Reddy)*

The petitioner, who claims to be the purchaser of property which was already under mortgage by the principal borrower i.e., S.Venkatramana, filed this Writ Petition with the grievance that for due recovery of the loan amounts advanced to the principal borrower, respondent Nos.1 and 2 have been seeking to proceed against him.

After arguing the case, Mr. R.Siva Sai Swaroop, the learned counsel for the petitioner, submitted that since his client has already filed O.S.No.466 of 2011 in the Court of the learned II Additional District Judge, Visakhapatnam, in respect of the same property, which is the subject matter of the mortgage, his client may be permitted to pursue the said suit besides availing any other legal remedy available to him in law.

In the light of the above submission of the learned counsel, the Writ Petition is dismissed, without adjudicating the same on merits, with liberty to the petitioner in terms of the prayer made.

As a sequel to dismissal of the Writ Petition, WPMP.No.12103 of 2016 filed by the petitioner for interim relief is dismissed as infructuous.

JUSTICE C.V.NAGARJUNA REDDY

JUSTICE G.SHYAM PRASAD

15th September 2016

DR