

**The Hon'ble Sri Justice C.V.Nagarjuna Reddy**

**and**

**The Hon'ble Sri Justice G.Shyam Prasad**

—

**Writ Petition No.2376 of 2016**

—

**Date: 05.08.2016**

**Between:**

Centenary Mennonite Brethren Church  
Mahaboobnagar  
rep. by its Pastor and Chairman  
Vijaya Bhushan and another

**..Petitioners**

**and**

Punjab National Bank  
Hyderabad  
rep. by its authorized officer  
and 10 others

**..Respondents**

**Counsel for the Petitioners:**

**Mr.M.Govind Reddy**

**Counsel for respondent Nos.1 to 3:  
Satyanarayana**

**Mr.Ambadipudi**

**Counsel for respondent No.6:  
Babu**

**Mr.Ch.Samson**

**The Court made the following:**

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

This Writ Petition is filed for the following the  
substantive relief:

“to issue a Writ direction more particularly one in the nature of Writ of Mandamus Declaring the action of the respondent Nos.1 to 3 in issuing demand notice dated 15.04.2010, the possession notice 08.12.2010 and the attempts to take possession on 25.03.2015 and 26-11-2015 in respect of land admeasuring Ac.57-24 Gts., forming part of survey numbers 36, 37, 58 and 59 situated at Kaverampet, Jadcherla, Mahaboob Nagar Town District, Telangana State as arbitrary, illegal and quash or set aside the same by holding them as violative of the rights guaranteed to the petitioners under articles 25 and 26 in the constitution of India and consequently b. Direct the respondents Nos.1 to 3 to forthwith restrain from taking steps under the provisions of the Securitization of Assets and Reconstruction of Financial Assets and Security in Interest Act, 2002 and the rules made there under against the land admeasuring Ac.57-24Gts., forming part of survey numbers 36, 37, 58 and 59 situated at Kaverampet, Jadcherla, Mahaboob Nagar District, Telangana State.”

At the hearing, Mr.Ambadipudi Satyanarayana, learned Counsel appearing for respondent Nos.1 to 3, submitted, and the same is not disputed, that WP.No.25171 of 2016 filed by the principal borrower *i.e.*, respondent No.5 was dismissed by this Court, on 28-07-2016, on the ground of availability of alternative remedy. He has further submitted that the extent of the property occupied by the Church has been excluded from the auction notification.

Mr.M.Govind Reddy, learned Counsel for the petitioners, submitted that in view of the above submission of the learned Standing Counsel for respondent Nos.1 to 3, his clients do not propose to pursue the Writ Petition.

The Writ Petition is, accordingly, disposed of by placing on record, the afore-mentioned statement of the learned Standing Counsel that the extent of the property occupied by the Church has been excluded from the auction notification.

As a sequel to disposal of the Writ Petition, interim order, dated 28-01-2016, is vacated and WPMP.No.2993 of 2016 is disposed of.

---

**(C.V.Nagarjuna Reddy, J)**

-  
-

---

---

**(G.Shyam Prasad, J)**

**Dt: 5<sup>th</sup> August, 2016**  
**lur**

