

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

WRIT PETITION No.24956 2016

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27.07.2016

Between:

Pothuri Nageswara Rao

..Petitioner

And

I.C.I.C.I. Bank Limited, Vijayawada

..Respondent

Counsel for the petitioner: Mr.K.Narsi Reddy

Counsel for the respondent: None appeared

The Court made the following:

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

This writ petition is filed for a *mandamus* to declare the action of the respondent bank in issuing sale notice, dated 24.06.2016, under Rules 8 and 9 of the Security Interest (Enforcement) Rules, 2002 in respect of the petitioner's agricultural land admeasuring Acs.2.10 ½ cents in survey Nos.20/2 and 20/1A of Vellampalli Village, Maddipadu Mandal, Prakasam District, as illegal and arbitrary.

2. After arguing the case, Mr.K.Narsi Reddy, learned counsel for the petitioner, has requested for permission of the Court to withdraw the writ petition with liberty to his client to approach the Debt Recovery Tribunal under Section 17 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002.

3. The Writ Petition is, accordingly, dismissed as withdrawn, with liberty to the petitioner in terms of the prayer made.

4. As a sequel to dismissal of the writ petition, W.P.M.P.No.30803 of 2016 filed by the petitioner for interim relief shall stand dismissed as infructuous.

C.V.NAGARJUNA REDDY, J

G.SHYAM PRASAD, J

27th July, 2016
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