

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.18680 OF 2018

ORDER :

This writ petition is filed challenging the notice dated 09.05.2018 said to have been issued by the Advocate Commissioner appointed in pursuance to the orders passed in CrI.MP.No.1553/2017, dated 04.10.2017.

Learned counsel for the petitioner submits that petitioner is a tenant of respondents 2 and 3 and running the hostel in the subject premises of an extent of 2700 square feet, bearing 3-6-150/3 at 1st floor, Himayat Nagar, Hyderabad being a lease holder.

A reading of the lease deed goes to show that one S.Nageshwara Rao and Y.Nageshwara Rao are the lessees. Petitioner Hostel is not a party to the said lease deed. Petitioner claims to be the Manager of the S.R.Women's Hostel.

In this case it is to be seen that an order is passed by the Chief Metropolitan Magistrate, Nampally Criminal Courts, Redhills, for eviction though petitioner has not stated anything in the affidavit about the same and probably the bank officials might have invoked the provisions of Securitisation and Reconstruction of Financial Assets and Enforcement of Securities Interest Act, 2002 (SARFAESI)

In view of the same, I do not see any reason to interdict with the said notice. Accordingly, the writ petition is dismissed. However, it is open for the petitioner to avail alternate remedy as may be available to him under law. No order as to costs.

As a sequel thereto, Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

07.06.2018
t k.

A.RAJASHEKER REDDY, J

