

THE HON'BLE SRI JUSTICE P.KESHAVA RAO

WRIT PETITION NO. 25643 OF 2015

ORDER:

There is no representation on behalf of the petitioner. Learned additional Standing Counsel appearing for respondent No.1 is present.

2. The prayer sought in the Writ Petition is as under:

“...to issue a writ, order or direction more particularly one in the nature of WRIT OF MANDAMUS, declaring the action of the Respondents 2 to 5 in entertaining the deeds executed by 5th respondent for obtaining loans on behalf of the 5th respondent firm which is a registered firm incorporated under Indian Companies Act, 1956 contrary to the terms and conditions of the Registered partnership deed dated 14.3.2012 as illegal, arbitrary, unconstitutional and contrary to the provisions of Indian Companies Act, 1956 and consequently declare that any Loan documents executed by the 5th respondent, alone without consent of the petitioners for the purpose of loans obtained from the respondents 2 to 5 are not binding on the petitioners and cannot be executed against them.”

3. From a perusal of the contents in the affidavit filed in support of the Writ Petition, it is evident that the petitioners who are partners of Sai Rural Agri Tech, are trying to enforce the contractual obligations vis-à-vis with respondent No.5 in the present Writ Petition. Hence, the Writ Petition as filed, is not maintainable.

4. Accordingly, the Writ Petition is dismissed.

Pending miscellaneous petitions, if any, shall also stand dismissed. No order as to costs.

P. KESHAVA RAO, J

Date: 6.12.2018
KPM