

THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE SRI JUSTICE T.AMARNATH GOUD

WRIT PETITION NO.22659 of 2018

ORDER: (per SK,J)

The prayer of the petitioner in this case reads as under:

'For the reasons stated in the accompanying affidavit, it is prayed that this Hon'ble Court may be pleased to issue an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, to declare the illegal action of the respondent authorities, particularly 3rd respondent herein, issued the impugned order, vide Proceeding No: C2/82/2018, dated 02.01.2018 by directing the 2nd respondent to take over the physical possession of petitioner residence bearing No:8-16, in Sy.No.463, an extent of 161 Sq. ft. situated at Agriculture Market Yard, Thirumalagiri Village, Suryapet District, TS, in spite petitioner shown the existing registered rental deed, i.e., document No:8855/2017, dated: 25.09.2017 and same has been illegal, arbitrary and unjust and it's nothing but violation of Article 19, 21 and 300-A of Constitution of India and consequently set aside the impugned order vide Proceedings No: C2/82/2018, dated:02.01.2018, passed by the 3rd respondent herein, and to pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.'

2. The petitioner claims to be a tenant in the residential premises which was offered as security by the fifth respondent to the Andhra Bank to avail financial assistance.
3. An interim order was passed in this writ petition on 11.07.2018 but the material placed on record in the contempt case arising therefrom, viz., C.C.No.2607 of 2018, demonstrates that long prior to the filing of this writ petition on 02.07.2018 and passing of the interim order dated 11.07.2018, the petitioner was dispossessed from the subject residential premises on

07.06.2018 pursuant to the order passed by the District Collector, Suryapet District, under Section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002.

4. In that view of the matter, the writ petition itself is liable to be dismissed and is accordingly dismissed. Pending miscellaneous petitions, if any, shall also stand dismissed. No order as to costs.

SANJAY KUMAR,J

T.AMARNATH GOUD,J

Date:13.09.2019

PGS

