APHC010608022025

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)

MONDAY, THE 2nd DAY OF NOVEMBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE BATTU DEVANAND

THE HONOURABLE SRI JUSTICE TUHIN KUMAR GEDELA

WRIT PETITION NO: 31895 OF 2025

Between:

1. TALLAM SATYANARAYANA BABU, S/o Subba Rao,

Aged about 61 years,

R/o Flat No.G4, Tallam Towers,

Vukkayapalle,

Bypass, Kadapa,

Y.S.R. Kadapa District.

...Petitioner

AND

1. THE UNION OF INDIA, Ministry of Finance,

Rep. by its Secretary,

Sastry Bhavan, New Delhi.

2. The Karur Vysya Bank Limited, Rep. by its Divisional Manager,

6-8-1250, 1stFloor, Priya Towers,

NGOs Colony, K.T.Road,

Annarao Circle, Tirupati-517501,

Andhra Pradesh.

3. The Karur Vysya Bank Limited, Rep. by its Branch Manager, Kadapa

7/47 and 7/48,

Trunk Road, Apsara Circle,

Chinna Chowk, Kadapa,

Y.S.R. Kadapa District.

4. The Karur Vysya Bank Limited, Rep. by its Assets Recovery Branch
5-8-356 to 362, 3rd Floor,
Chirag Ali Lane, Abids, Hyderabad
State of Telangana.

...Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased topleased to issue a Writ Order ordirection more particularly one in the nature of WRIT OF MANDAMUSdeclaring the actions of the Respondents in taking possession of the subject properties i.e., 1) Item No.1- for an extent of 68.22 Sq.yards consisting RCCbuilding with Stilt plus Ground plus 1st Floor plus 2nd and 3rd floors, situated in D.No.13-299, Survey No.30/2B1A1, Chittari Kondappa Street, Kadapa MunicipalCorporation, Y.S.R. Kadapa District, 2) item No.2- for an extent of 194.33Sq.yards consisting RCC building with Ground plus 1st Floor, situated inD.No.45/167-1 and 45/167-1-1, Baiaji Nagar, Chemmumiapet Village, Kadapa,Y.S.R. Kadapa District and 3) Item No.3- for an extent of 7.48 Sq.yards,situated in Survey No.30/2B/1A1, D.No.13-299, Chittari Kondappa Street,Kadapa, Y.S.R. Kadapa District by invoking the provisions of SARFAESI Act,which are not secured assets for the realization of the other secured loans asillegal, arbitrary, unjust, violation of fundamental rights guaranteed underArticle 14, 21 of Constitution and consequently direct the Respondents torelease and deliver the physical possession of the subject properties i.e., 1)Item No.1- for an extent of 68.22 Sq.yards consisting RCC building with Stiltplus Ground plus 1st Floor plus 2nd and 3rd floors, situated in D.No.13-299, SurveyNO.30/2B1A1, Chittari Kondappa Street, Kadapa Municipal Corporation,Y.S.R. Kadapa District, 2) Item No.2- for an extent of 194.33 Sq.yardsconsisting RCC building with Ground plus 1st Floor, situated in D.No.45/167-1 and45/167-1-1, Baiaji Nagar, Chemmumiapet Village, Kadapa, Y.S.R. KadapaDistrict and 3) Item No.3- for an extent of 7.48 Sq.yards, situated in SurveyNO.30/2B/1A1, D.No.13-299, Chittari Kondappa Street, Kadapa, Y.S.R.Kadapa District by returning the

original documents pertaining to Item No.1 and2 of the subject properties and pass

IA NO: 1 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased pleased to directthe Respondents to release and deliver the physical possession of thesubject properties i.e., 1) Item No.1- for an extent of 68.22 Sq.yardsconsisting RCC building with Stilt + Ground + 1®‘ Floor + 2"^ & 3^^ floors,situated in D.No.13-299, Survey No.30/2B1A1, Chittari Kondappa Street,Kadapa Municipal Corporation, Y.S.R. Kadapa District, 2) Item No.2- for anextent of 194.33 Sq.yards consisting RCC building with Ground + Floor,situated in D.No.45/167-1 & 45/167-1-1, Balaji Nagar, Chemmumiapet, Village, Kadapa, Y.S.R. Kadapa District and 3) Item No.3- for an extent of7.48 Sq.yards, situated in Survey No.30/2B/1A1, D.No. 13-299, ChittariKondappa Street, Kadapa, Y.S.R. Kadapa District by returning the originaldocuments pertaining to Item No.1 & 2 of the subject properties and pass

Counsel for the Petitioner: A SYAM SUNDAR REDDY
Counsel for the Respondents: BACHINA HANUMANTHA RAO (CENTRAL GOVT COUNSEL) Counsel for the Respondents:SREEDHAR VALIVETI

The Court made the following order:

THE HONOURABLE SRI JUSTICE BATTU DEVANAND

THE HONOURABLE SRI JUSTICE TUHIN KUMAR GEDELA

WRIT PETITION NO: 31895 OF 2025

ORDER: *(Per Hon'ble Sri Justice Battu Devanand)*

Heard Sri V. Sai Ram Kumar, learned counsel appearing on behalf of Sri A. Syam Sundar Reddy, learned counsel for the petitioner, and Sri Sreedhar Veliveti, learned counsel appearing for the respondent-bank. Perused the material available on record.

2. This writ petition is filed seeking writ of mandamus to declare the action of the respondents in taking possession of the subject properties.

3. The petitioner and his wife availed financial assistance from the respondent-bank by mortgaging their properties. Subsequently, due to default, the loan accounts were classified as Non-performing Assets (NPAs) and respondent-bank issued proceedings under the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short, 'the SARFAESI Act'). The respondent-bank also initiated proceedings under Section 14 of the SARFAESI Act to take possession of the mortgaged properties. Aggrieved thereby, the petitioner approached this Court by filing the present Writ Petition.

4. During the course of hearing, the learned counsel for the petitioner would submit that respondent-bank without following the procedure contemplated under the SARFAESI Act, is taking steps to take possession of

the mortgaged properties by way of auction, if it is allowed, the petitioner will be put to heavy loss and hardship.

5. On the other hand, Sri Sreedhar Veliveti, learned counsel for the respondent, would submit that against the action of the respondent-bank in invoking Section 14 of the SARFAESI Act, the petitioner approached the DRT-II, Hyderabad by filing Securitization Applications in S.A.Nos.428 and 429 of 2025 and both are pending. During the pendency of those Securitization Applications, the petitioner approached this Court by filing this writ petition. As such, learned counsel contends that the writ petition is not maintainable.

6. Having considered the facts and circumstances of the case, it is not in dispute that the petitioner approached the DRT-II, Hyderabad, by filing S.A.Nos.428 and 429 of 2025 against two petitions filed by the respondent-bank under Section 14 of the SARFAESI Act. The same proceedings are under challenge before this Court. Under these circumstances, we are not inclined to interfere in this writ petition. We intend to dispose of this writ petition with a direction to the DRT-II, Hyderabad, to consider the Securitization Applications filed by the petitioner in S.A.Nos.428 and 429 of 2025 as expeditiously as possible by following due process of law to meet the ends of justice.

7. Accordingly, this writ petition is disposed of with a direction to the DRT-II, Hyderabad, to consider the Securitization Applications filed by the petitioner

in S.A.Nos.428 and 429 of 2025 as expeditiously as possible by following due process of law. There shall be no order as to costs.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

BATTU DEVANAND, J

TUHIN KUMAR GEDELA, J

Dated:02.11.2026
TJN

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THE HONOURABLE SRI JUSTICE BATTU DEVANAND

THE HONOURABLE SRI JUSTICE TUHIN KUMAR GEDELA

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HIGH COURT OF ANDHRA PRADESH::AT AMARAVATI

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PROCEEDING SHEET

Sl. No	DATE	ORDER	OFFICE NOTE
	02.11.2026	**DEV,J& GTK,J** The writ petition is disposed of. (Vide Separate Order) **DEV, J** **GTK, J** TJN	