

[3418]

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)**

WEDNESDAY, THE TWENTY FIRST DAY OF AUGUST
TWO THOUSAND AND TWENTY FOUR

PRESENT

**THE HONOURABLE THE CHIEF JUSTICE ALOK ARADHE
AND
THE HONOURABLE SRI JUSTICE J SREENIVAS RAO**

WRIT PETITION NO: 13630 OF 2010

Between:

1. Sri Mujeebuddin, S/o.Mazahruddin Flat No.B-120,
2. Smt.K.Subba Lakshmi, W/o.late Laxmi Narasimham Flat No,C-204 ,
3. M.Ashok Kumar, S/o.M.Anjaiah Flat No.C-205 ,
4. Smt.V.Charlotte S Kumari, W/o.Dr.M.J. Wilson Flat No.A-213 ;
5. N.Srikrishna Devarayudu, S/o.N.Venkata Ramaiah Flat No.C-306 ,
6. Smt.M.Nagamani, W/o.Kameswara Rao Flat No.B-310 ,
7. Sri Leonard D'silva, Flat No.A-301 ,
8. G.Srirama Chandra Murthy, Flat No.B-201 ,
9. Dr.K.Shoba Rani, W/o.Rajgopal Goud Flat No.A-307 ,
- 10.J.Sudarshana Rao, S/oDayanandam Flat No.A-201

All residents of Anuradha Sadan Apartments, Adikmet, Hyderabad.

...PETITIONERS

AND

1. The Chief Manager / Authorised Officer, ARM Branch, Indian Bank, IV Floor, Liberty Plaza, Himayathnagar, Hyderabad - 500 029.
2. The Chairman and Managing Director, Indian Bank, Head Office, 66, Rajaji Salai, Chennai 600 001.
3. Anuradha Estates Formerly Anuradha Agencies, a Partnership Firm rep. by its Chief Executive, Dr.R.Satyanarayana S/o.Sri Brahmaiah 3-4-874, Barkatpura, Hyderabad.
4. Smt. Ratna Kumari, W/o.R.Satyanarayana 3-4-874, Barkatpura, Hyderabad.

5. Mrs.R.Anuradha, D/o.Dr.R.Satyanarayana 3-4-874, Barkatpura, Hyderabad.
6. Mr.R.Padmavathi, D/o.Dr.R.Satyanarayana 3-4-874, Barkatpura, Hyderabad.
7. Smt.N.Sampoornamma, W/o.Sri N.V. Janardhana Rao 3-4-874, Barkatpura, Hyderabad.
8. Dr.R.Satyanarayana, S/o.Sri Brahmaiah 3-4-874, Barkatpura, Hyderabad.
9. Sri Mir Akbar Ali Khan, S/o. Mir Akbar Asil Khan 8-2-542/4, Road No.7, Banhara Hills, Hyderabad-8.
- 10.Smt.Asmatunnisa Begum, W/o.Late Ifteharuddin 8-2-542/4, Road No.7, Banhara Hills, Hyderabad-8.
- 11.Smt.Nurinnisa Begum, W/o.Kursheedul Hussaih 8-2-542/4, Road No.7, Banhara Hills, Hyderabad-8.
- 12.Smt.Anisunnisa Begum, W/o.Dr.Ashraf 8-2-542/4, Road No.7, Banhara Hills, Hyderabad-8.
- 13.Dr.Syed Habib Ashraf, S/o.Shri Syed Rounak Ali 8-2-542/4, Road No.7, Banhara Hills, Hyderabad-8.
- 14.Smt.Nisamunnisa Begum, W/o.Late Maslehuddin Ansari 8-2-542/4, Road No.7, Banhara Hills, Hyderabad-8.
- 15.Canfin Homes Ltd., represented by its Chief Manager, Mr.P.S.Sudhir, 5-9-100, Doyen Trade House, Public Garden Road, Hyderabad.

(R8 to R15 are proforma respondents and not necessary parties)

...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 to(a) to issue a Writ or order or direction particularly one in the nature of Mandamus declaring the action of the 1st respondent in issuing the notification U/s. 13(2) of Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act 2002, in respect of the petitioners flats B-210, C-204, C-205, A-213, C-306, B-308, A-301, B-201, A-307, A-201 as illegal, unconstitutional, consequently set aside the same (b) to declare Section 58 (f) of the Transfer of Property Act 1882 as unconstitutional.

I.A. NO: 2 OF 2010(WPMP. NO: 30901 OF 2010)

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 permit the change of description of the 2nd respondent as "Indian Bank represented by its Chairman & Managing Director Indian Bank, Head Office, 66, Rajaji Salai, Chennai -600 001",

Counsel for the Petitioner : SRI A.HANUMANTHA REDDY

Counsel for the Respondent No.1 : SRI AMBADIPUDI SATYANARAYANA

Counsel for the Respondent No.2 : SRI RAAVINUTHALA V.S.R

Counsel for the Respondent No.3to15 : --

The Court made the following: ORDER

THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE

AND

THE HON'BLE SRI JUSTICE J.SREENIVAS RAO

Writ Petition No.13630 of 2010

ORDER: (Per the Hon'ble the Chief Justice Alok Aradhe)

In this writ petition, the petitioners *inter alia* have assailed the validity of notice dated 25.01.2010, issued by respondent No.1 under Section 13 of the Securitisation and Reconstruction of Financial Assets and Reconstruction of Security Interest Act, 2002.

2. A Bench of this Court, by order dated 05.10.2010, declined to grant the prayer for interim relief. It appears that on account of efflux of time, the issue involved in this writ petition has been rendered academic.

3. The Writ Petition is, therefore, dismissed as infructuous.

Miscellaneous petitions, pending if any, stand closed.

No costs.

Sd/- NAYANI CHANDRA SEKHAR RAO
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. One CC to SRI A.HANUMANTHA REDDY, Advocate. [OPUC]
2. One CC to SRI RAAVINUTHALA V.S.R, Advocate. [OPUC]
3. One CC to SRI AMBADIPUDI SATYANARAYANA, Advocate. [OPUC]
4. Two CD Copies.

BSK
MP

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HIGH COURT

DATED:21/08/2024



ORDER

WP.No.13630 of 2010

**DISMISSING THE WRIT PETITION
AS INFRACTUOUS
WITHOUT COSTS**

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28/9/24