

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

WEDNESDAY, THE TWENTY FOURTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

**THE HONOURABLE THE CHIEF JUSTICE SRI APARESH KUMAR SINGH
AND
THE HONOURABLE SRI JUSTICE G.M. MOHIUDDIN**

WRIT PETITION NO: 39689 OF 2025

Between:

T. Venkatram Reddy, S/o Late Mr. T Chandrasekhar Reddy, Aged about 60 years.
Occ. Business R/o. Plot No. 54. House No. 8-2-703/A-6-C, Road No. 12. Banjara
Hills, Hyderabad, 560034.

...PETITIONER

AND

1. National Company Law Tribunal, Hyderabad Bench - I, Office at Corporate Bhawan, Bandlaguda Tattiannaram Village, Hayatnagar Mandal, Rangareddy District, Hyderabad-500068
2. LandT Finance Limited, Brindavan. Plot No. 177. C.S.T. Road. Kalina, Santacruz (East), Mumbai, Maharashtra, India, 400098.
3. Ms. Renuka Devi Rangaswamy, R/o. Arthi Illam, 9, Jothi Nagar, 3rd Street. Uppolipalayam Post, Coimbatore, Tamil Nadu. 641015.
4. Deccan Chronicle Holdings Ltd., Registered office at 36, Sarojini Devi Road. Secunderabad - 500003

...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 issue any order, direction or Writ, more particularly in the nature of Writ of Certiorari (i) quashing the order dt. 24.06.2022 passed by the Respondent no. 1 in CP(IB) No. 88/95/HDB/2021 as being wholly without jurisdiction and (ii) Writ of Prohibition prohibiting the Respondent no. 2 from entertaining/conducting/proceeding in any manner whatsoever in CP(IB) No. 88/95/HDB/2022 pending on the file of Respondent no. 1 and consequently set aside and declare the entire proceedings and all subsequent orders as being

wholly without jurisdiction and in contravention of the provisions of its parent statute, being Insolvency and Bankruptcy Code, 2016 and its rules there under.

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 to dispense with the filing of the certified copies of the order dated 24.06.2022, 12.11.2024. and 19.12.2025 passed in CP (IB) No. 88/95/HDB/2021, I.A. (IBC) No. 744 of 2024 in CP (IB) No. 88/95/HDB/2021 and I.A. (IBC) No. 534 in 2025 in CP (IB) No. 88/95/HDB/2021, respectively, by the Ld. Tribunal under the Insolvency and Bankruptcy Code, 2016.

IA NO: 2 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 to suspend the operation of the order dt. 19.12.2025 passed in I.A. (IBC) No. 534 in 2025 in CP (IB) No. 88/95/HDB/2021.

IA NO: 3 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 to stay all proceedings pending on the file of the National Company Law Tribunal, Hyderabad -Bench I in CP(IB) No. 88/95/HDB/2021.

Counsel for the Petitioner : SRI VADEENDRA JOSHI

**Counsel for the Respondent No.1 : SRI MUKHERJEE,
rep, SRI N.BHUJANGA RAO, Dy.Solicitor of India**

Counsel for the Respondent No.2 : SRI V.ANEESH

Counsel for the Respondent No.3&4 : --

The Court made the following: ORDER

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

THE HON'BLE THE CHIEF JUSTICE SRI APARESH KUMAR SINGH

AND

THE HON'BLE SRI JUSTICE G.M.MOHIUDDIN

WRIT PETITION No.39689 of 2025

DATED: 24.12.2025

Between:

T.Venkatram Reddy

... Petitioner

AND

National Company Law Tribunal,
Hyderabad Bench – I,
Office at Corporate Bhawan,
Bandlaguda Tattiannaram Village,
Hayatnagar Mandal, Rangareddy District,
Hyderabad-500068 & 3 others

... Respondents

ORDER:

Heard Mr. Vadeendra Joshi, learned counsel appearing for the petitioner,
Mr. B.Mukherjee, learned counsel representing Mr. N.Bhujanga Rao, learned
Deputy Solicitor General of India appearing for respondent No.1 and Mr. V.Aneesh,
learned counsel appearing for respondent No.2 through video conference.

2. The present petitioner is facing proceedings under Section 123 read with Section 60(2) of the Insolvency and Bankruptcy Code, 2016 read with Rule 7 of the Insolvency and Bankruptcy (Application to Adjudicating Authority for Insolvency Resolution Process for Personal Guarantors to Corporate Debtor) Rules, 2019. He was the Personal Guarantor to the Corporate Debtor, respondent No.4 herein. The proceedings as against the Corporate Debtor ended up on 03.06.2019 on approval of the Resolution Plan. However, at the instance of the Financial Creditor, this proceeding has been initiated against the petitioner/Personal Guarantor wherein *vide* impugned order dated 19.12.2025, the learned National Company Law Tribunal (NCLT), Hyderabad Bench-I, Hyderabad has declared him to be bankrupt.

3. Learned counsel for the petitioner has relied upon a decision of the Madras High Court in the case of **Rohit Nath alias Rohit Rabindra Nath v. KEB Hana Bank Ltd.**¹ and submitted that when the insolvency proceedings against a Corporate Debtor has come to a close and there are no resolution proceedings pending before the NCLT, no Corporate Insolvency Resolution Process can be initiated against the Personal Guarantor. Such proceedings for recovery can only be initiated before the jurisdictional Debts Recovery Tribunal and not to any other forum. It is submitted that similar issue is involved in W.P.Nos.6860 of 2025 and 9972 of 2025 in which the learned Coordinate Bench

¹ 2021 SCC OnLine Mad 2734

of this Court has passed interim orders dated 19.03.2025 and 07.04.2025.

Learned counsel for the petitioner, therefore, prays that the instant matter may also be heard along with those cases. Interim order in similar terms may be granted.

4. Learned counsel for respondent No.2/Financial Creditor submits that the initiation of insolvency proceedings by order dated 24.06.2022 has already been challenged by the petitioner before the NCLAT, Chennai wherein the judgment has been reserved. It is submitted that the same order has been challenged in the present writ petition by invoking parallel remedies. Therefore, this Court may not interfere in the matter.

5. We are not aware whether in these two cases i.e., W.P.Nos.6860 of 2025 and 9972 of 2025, any NCLAT appeal was also filed and was pending when the interim orders were passed.

6. In the aforesaid facts and circumstances and upon hearing learned counsel for the parties, since the challenge to the order of initiation of insolvency proceedings in the same matter is under challenge before the NCLAT, Chennai, where judgment has been reserved, we do not approve of raising this issue after almost three years by the petitioner in a proceeding under Article 226 of the Constitution of India.

-7. Therefore, the instant Writ Petition is dismissed. However, there shall be no order as to costs.

Miscellaneous applications pending, if any, shall stand closed.

SD/-T. SRIDEVI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. One CC to SRI VADEENDRA JOSHI, Advocate. [OPUC]
2. One CC to SRI N.BHUVANGA RAO, Deputy Solicitor General of India, High Court for the State of Telangana at Hyderabad. [OPUC]
3. One CC to SRI V.ANEESH, Advocate. [OPUC]
4. Two CD Copies.

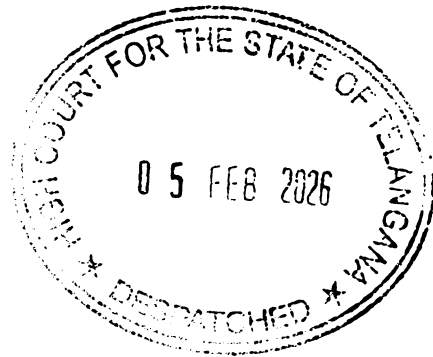
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HIGH COURT

DATED:24/12/2025



ORDER

WP.No.39689 of 2025

DISMISSING THE WRIT PETITION
WITHOUT COSTS

⑥
SE
23-01-26.