

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

WEDNESDAY, THE TWENTY FIFTH DAY OF SEPTEMBER  
TWO THOUSAND AND TWENTY FOUR

**PRESENT**

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

**WRIT PETITION NO: 12146 OF 2011**

**Between:**

N.Venkataswamy Naidu, S/o late Nageswara Rao, Aged 59 years, Occ:  
Business, R/o Flat No.402, K.P. Apartments, Umanagar, Kundanbagh,  
Begumpet, Hyderabad-500016.

**...PETITIONER**

**AND**

1. Canara Bank Rep. by its Branch Manager, Pathergatty Branch, Hyderabad.
2. Nageswara Chemicals & Drugs, Rep. by its Managing Director 7-1-451/7,  
Near Satyam Theatre, Ameerpet, Hyderabad-16 (AP)
3. D.R.Murthy, aged 58 years, S/o Not known R/o. 10-3-RT, Ameerpet,  
Hyderabad.
4. Sri N.C.Srinath, aged 59 years, S/o M.C.S. Acharya R/o. Plot No.100,  
Snehapuri, Borabanda, Near Glass Factory, Erragadda, Hyderabad.
5. B.R.Naidu, aged 53 years, S/o B.Suryanarayana, Advocate R/o 32A, SR  
Nagar, Hyderabad OR, 7-7-68, TSR Nagar, Kakinada-533003.
6. Smt. K. Suparna Sree, aged 50 years, W/o K.Vidyasagar R/o 104/2 RT,  
Sanjeeva Reddy Nagar, Hyderabad.
7. Sri B.Suryanarayana, aged 60 years, S/o Not known, R/o 70-7-68, TSR  
Nagar, Kakinada.
8. Sri B.Satyanarayana, aged 50 years, S/o Not known C/o. M/s Subba Rao  
Agricultural Farm, Janagam, Warangal District.
9. Karnataka State Financial Corporation, Rep. By its Managing Director No.1/1,  
Thimmaiah Road, Near Cont. Railway Station, Bangalore-560052.
10. Debt Recovery Tribunal, Rep by its Registrar Abids, Hyderabad.
11. Debt Recovery Tribunal, rep by its Receiver, Abids, Hyderabad.

**(Respondents 2 to 8 are formal parties and hence they are not necessary  
in this petition)**

**...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 a writ or order, orders or directions particularly in the nature of Writ of Certiorari and Mandamus calling for the records pertaining to R.P.No.232 of 2005 in O.A.No.1100 of 1999 passed by the 11th Respondent vide Form Nos.16 dated 5.11.2009 later changed as 15.4.2011 as well as the Form 17 dated 15.4.2011 and set aside the same, as illegal, arbitrary, contrary to law, violative of Art.14 and 300-A of the Constitution of India, discriminative in nature, non-application of mind and violative of principles of natural justice, without jurisdiction and ultra-vires, in the interest of justice.

**I.A. NO: 2 OF 2011(WPMP. NO: 14845 OF 2011)**

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 impugned operation of the orders of the 11th Respondent issued in R.P.No.232 of 2005 in O.A.No.1100 of 1999 in the shape of Form No.16 dated 5.11.2009 later changed as 15.4.2011 as well as Form No.17 dated 15.4.2011 attaching and sale of the property, pending disposal of the aforesaid writ petition, in the interest of justice.

**I.A. NO: 1 OF 2011(WVMP. NO: 2413 OF 2011)**

**Between:**

Canara Bank Rep. by its Branch Manager, Pathergatty Branch, Hyderabad.

**...PETITIONER**

**AND**

1. N.Venkataswamy Naidu, S/o late Nageswara Rao, Aged 59 years, Occ: Business, R/o Flat No.402, K.P. Apartments, Umanagar, Kundanbagh, Begumpet, Hyderabad-500016.
2. Nageswara Chemicals & Drugs, Rep. by its Managing Director 7-1-451/7, Near Satyam Theatre, Ameerpet, Hyderabad-16 (AP)
3. D.R.Murthy, aged 58 years, S/o Not known R/o. 10-3-RT, Ameerpet, Hyderabad.
4. Sri N.C.Srinath, aged 59 years, S/o M.C.S. Acharya R/o. Plot No.100, Snehapuri, Borabanda, Near Glass Factory, Erragadda, Hyderabad.
5. B.R.Naidu, aged 53 years, S/o B.Suryanarayana, Advocate R/o 32A, SR Nagar, Hyderabad OR, 7-7-68, TSR Nagar, Kakinada-533003.

6. Smt. K. Suparna Sree, aged 50 years, W/o K.Vidyasagar R/o 104/2 RT, Sanjeeva Reddy Nagar, Hyderabad.
7. Sri B.Suryanarayana, aged 60 years, S/o Not known, R/o 70-7-68, TSR Nagar, Kakinada.
8. Sri B.Satyanarayana, aged 50 years, S/o Not known C/o. M/s Subba Rao Agricultural Farm, Janagam, Warangal District.
9. Karnataka State Financial Corporation, Rep. By its Managing Director No.1/1, Thimmaiah Road, Near Cont. Railway Station, Bangalore-560052.
10. Debt Recovery Tribunal, Rep by its Registrar Abids, Hyderabad.
11. Debt Recovery Tribunal, rep by its Receiver, Abids, Hyderabad.

**(Respondents 2 to 11 are not necessary in this petition)**

**...RESPONDENTS**

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 vacate the interim order granted in WPMP No. 14845 of 2011 in WP No. 12146 of 2011 dated 26.04.2011.

**I.A. NO: 1 OF 2015(WVMP. NO: 625 OF 2015)**

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 vacate the interim order passed in W.P.M.P.No.14845/2011 in WP.No.12146/2011 Dt: 26/04/2011.

**Counsel for the Petitioner: SRI N.V.RAMANA, REP. FOR SRI M.V.RAJA RAAM**

**Counsel for the Respondent No.1: SRI B.N.SWAMIJI**

**Counsel for the Respondent No.9: SRI K.PANDURANGA RAO**

**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.12146 of 2011**

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

Mr. N.V. Ramana, learned counsel representing Mr. M.V. Raja Ram, learned counsel for the petitioner submits that he has no instructions to argue the writ petition.

The writ petition is therefore dismissed for want of prosecution.

Miscellaneous applications, if any pending, shall stand closed. There shall be no order as to costs.

**SD/-N. RAJAGOPAL**  
**ASSISTANT REGISTRAR**  
*[Signature]*  
**SECTION OFFICER**

**//TRUE COPY//**

To,

1. One CC to SRI M.V.RAJA RAAM, Advocate [OPUC]
2. One CC to SRI B.N.SWAMIJI, Advocate [OPUC]
3. One CC to SRI K.PANDURANGA RAO, Advocate [OPUC]
4. Two CD Copies

BSR  
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*PA*

**HIGH COURT**

**DATED: 25/09/2024**

**ORDER**

**WP.No.12146 of 2011**



**DISMISSING THE WRIT PETITION  
FOR WANT OF PROSECUTION,  
WITHOUT COSTS**

*PA  
25/10/24  
6 Copies.*