IN THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD
(Special Original Jurisdiction)

TUESDAY, THE TWENTY FIFTH DAY OF AUGUST
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE JUSTICE MOUSHUMI BHATTACHARYA
AND
THE HONOURABLE SMT JUSTICE RENUKA YARA

WRIT PETITION NO: 9213 OF 2026

Between:

1. Dandyala Basavamma, W/o. Bhaskar Rao, Age 47 years, Occ Housewife, R/o. H.No. 6-56, Jayaram Steel Syndicate, Warangal X Road, Yedulapuram Village, Khammam Rural Mandal, Khammam district
2. Dandyala Vasantha, W/o. Lakshman Rao, Age 37 years, Occ: Housewife, R/o. H.No. 11-8-199, Plot No. S-3, Vishnu Janakiram Apartment, Burahanpuram, Khammam City, Khammam District

...PETITIONERS

AND

1. The Bank Manager, State Bank of India, P.V.Colony (21816), Shop No. 05 and 06, Super Bazaar Shopping Complex, Samithi Singaram, Manuguru - 507117
2. M/s Hari Hara Car Care, H. No. 7-1-294, Beside Old Petrol Bunk, Main road, Bandarugudem, Manuguru - 507117 represented by its proprietor Konda Naresh, S/o. Kanakayya, H.No. 2-15/1, Vempati Road, Tungaturthi (M), Nalgonda district - 508280
3. Konda Naresh, S/o. Kanakayya, Occ Proprietor of M/s Hari Hara Car Care, H. No. 7-1-294, Beside Old Petrol Bunk, Main road, Bandarugudem, Manuguru R/o. H.No. 2-15/1, Vempati Road, Tungaturthi (M), Nalgonda district - 508280
4. M/s Bellatrix Vegan Traders, H.No. 16-9-94, N.T.R Circle, Bank Colony Road No.1, Khammam Town and District, Rep. by its Proprietor Konda Radhika, W/o. Konda Naresh, H.No. 2-15/1, Vempati Road, Tungaturthi (M), Nalgonda district - 508280
5. Konda Radhika, W/o. Konda Naresh, Occ Proprietor of M/s Bellatrix Vegan Traders, H.No. 16-9-94, N.T.R Circle, Bank Colony Road No.1, Khammam Town and District , R/o. H.No. 2-15/1, Vempati Road, Tungaturthi (M), Nalgonda district - 508280

...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 toissue an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of mandamus, to declare the action of the first respondent's e-Auction notification dated 05.02.2026 in daily Telugu News paper by fixing auction dated 06.03.2026 though it was postponed further, in respect of open plots 1) to an extent of 270 sq. yards in Sy. No. 216/A, Plot No. 16, and 2) to an extent of 270 sq. yards in Sy. No. 216/A/4, Plot No. 16 situated at Jayanagar colony, Ballepally Mandal, Khammam district, despite respondent nos. 2 to 5 have obtained loan from the first respondent by submitting fake and created sale deed vide document no. 16261/2019 dated 18.12.2019 by mentioning the petitioners' house plot boundaries and based on boundaries the respondent no.1 wanted to auction their plot no. 1/A in Sy. No. 216 instead of the plots of the respondent nos. 2 to 5 if any, and issued e-Auction notification for selling of the said property Is as illegal, arbitrary, and unconstitutional and for other reliefs and violation of articles 21 and 300-A of the Constitution of India and consequently set aside the e-Auction notification dated 05.02.2026.

I.A. NO: 1 OF 2026

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 e-Auction notification dated 05.02.2026 by directing the respondent no.1 not to interfere into the possession of the petitioners house plot no. 1/A in Sy. No. 216 pending disposal of the main case.

Counsel for the Petitioner: SRI. PULLA RAO YELLANKI

Counsel for the Respondents: SRI. M P SANJAY

The Court made the following: ORDER

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THE HON'BLE JUSTICE MOUSHUMI BHATTACHARYA AND THE HON'BLE SMT.JUSTICE RENUKA YARA

WRIT PETITION No.9213 OF 2026

DATE OF ORDER: 25.08.2026

BETWEEN:

Dandyala Basavamma and another

...Petitioners

AND

The Bank Manager, State Bank of India
and 4 others

...Respondents

Sri Pulla Rao Yellanki, learned counsel appearing for the petitioners.

Sri M.P.Sanjay, learned counsel appearing for the respondents.

ORDER : (Per Hon'ble Justice Moushumi Bhattacharya)

1. The Writ Petition has been filed against an e-Auction sale notice dated 05.02.2026 issued by the respondent No.1 –State Bank of India, Manuguru.

2. The petitioners claim to be third parties to the transaction between the borrowers and the Bank. Counsel appearing for the petitioners submits that the petitioners are neither borrowers nor guarantors and therefore are not concerned with the e-Auction. Counsel submits that the Writ Court should hence intervene and relies on a decision of the Single Bench of the Delhi High Court in WP(C).No.13770 of 2021 whereby the Court found that there was

infraction of the procedure mandated under the statute which warranted interference of the Writ Court.

3. After hearing counsel appearing for the petitioners, we are of the considered view that there is no reason for the Writ Court to entertain the present Writ Petition. The petitioners have not shown the existence of any of the exceptions which would warrant interference by a Writ Court as stated by the Supreme Court in *Whirlpool Corporation v. Registrar of Trade Marks, Mumbai*[1]. The solitary fact that the petitioners are not connected with the transactions between the borrowers and the Bank is not a ground at all since section 17(1) of the SARFAESI Act, 2002 permits all persons to approach the statutory forum, namely the Debts Recovery Tribunal (DRT). Hence, this Court do not find any merit in the Writ Petition.

4. W.P.No.9213 of 2026 is accordingly dismissed. However, liberty is granted to the petitioners to approach the DRT. All connected applications shall stand closed. There shall be no order as to costs.

[1](1998) 8 SCC 1)

SD/- K.BHAVANI SWAMY
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. One CC to SRI. PULLA RAO YELLANKI, Advocate [OPUC]
2. One CC to SRI. M P SANJAY, Advocate [OPUC]
3. Two CD Copies

DAN

TKS

HIGH COURT

DATED: 25/08/2026

ORDER

WP.No.9213 of 2026



DISMISSING THE WRIT PETITION

WITHOUT COSTS

(5) NT
3/9/26