

**HON'BLE SRI JUSTICE R.SUBHASH REDDY
AND
HON'BLE SRI JUSTICE A.SHANKAR NARAYANA
WRIT PETITION No.810 of 2016**

ORDER : *(Per Hon'ble Sri Justice R.Subhash Reddy)*

This writ petition is filed for a Mandamus to direct respondent No.1 to register the Securitisation Application filed by the petitioner on 21.12.2015 vide SAIR.No.668 of 2015, for adjudication on merits and to pass appropriate orders.

It is the case of the petitioner that he obtained loan from UCO Bank of Ananthapur Branch, the 2nd respondent Bank herein, for the purpose of constructing an Engineering College building in the State of Haryana. When the Bank has taken measures under the SARFAESI Act, the petitioner questioned the same by filing the aforesaid Securitisation Application before the Debts Recovery Tribunal, Hyderabad. However, on 05.01.2016, the office returned the papers submitted by learned counsel for the petitioner with the following objection:

“Pl. clarify how the application falls within the jurisdiction of the Tribunal, when the application schedule is situated out of the jurisdiction of the Tribunal i.e., in Haryana State
Time for compliance 15 days.”

It is contended by learned counsel for the petitioner that as much as the petitioner has taken loan from the UCO Bank of Ananthapur, the cause of action is within the State of Andhra Pradesh and, therefore, there is no reason for return of the papers submitted by him.

A perusal of the office objection, dated 05.01.2016, only indicates the papers submitted by learned counsel for the petitioner are returned with an objection by granting 15 days' time for compliance. Instead of complying with the said objection, the petitioner has filed the present writ petition.

The petitioner pleads that the Tribunal has jurisdiction to entertain the application submitted by him in view of the fact that he has taken loan from the UCO Bank of Ananthapur Branch, but he can as well give the same reply to the office objection and re-submit the papers before the Tribunal.

Hence, granting liberty to the petitioner to re-submit the papers by complying with the objection raised by the Tribunal, this Writ Petition is disposed of. If re-submission is made by complying with the objection, the 1st respondent is directed to consider such compliance and take appropriate steps.

As a sequel, pending miscellaneous petitions, if any, shall stand closed. No order as to costs.

JUSTICE R. SUBHASH REDDY

JUSTICE A.SHANKAR NARAYANA

