

THE HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN
AND
THE HON'BLE SRI JUSTICE G. SHYAM PRASAD

WRIT PETITION No.45018 of 2016

Between:

Smt. Cheruku Krishnaveni

PETITIONER

And

1. State Bank of India, Stressed Assets Recovery Branch, 2nd Floor,
RTC Building, Commuters' Amenity Centre, Koti, Hyderabad
Represented by its Authorised Officer, and another.

RESPONSENTS



**THE HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN
AND
THE HON'BLE SRI JUSTICE G. SHYAM PRASAD**

WRIT PETITION No.45018 of 2016

ORDER: (Per Hon'ble Sri Justice V. Ramasubramanian)

The petitioner has come up with the above writ petition challenging a notice under Section 13 (2) of the SARFAESI Act, 2002.

2. Heard Mr. P. Ponna Rao, learned counsel appearing for the petitioner. Mr. Srikanth Reddy, learned counsel takes notice for respondent-bank.

3. It appears that the bank earlier issued a notice under Section 13(2) on 17.05.2016. Alleging that the reply to the same was not considered, the petitioner came up with a writ petition in W.P.No.23372 of 2016. The writ petition was disposed of by an order dated 02.08.2016 directing the bank to pass orders under Section 13(3A).

4. Pursuant to the said order, the bank passed an order dated 01.10.2016 withdrawing the notice under Section 13(2). Thereafter, they have issued fresh notice under Section 13(2). Therefore, the respondents cannot be said to have done anything illegal.

5. Moreover, as against a notice under Section 13(2), the petitioner cannot come up with a writ petition. He is liable to submit a reply. After passing order under Section 13(3A), if the respondents take any measures under Section 13(4), the

petitioner would have a cause of action to go before the Tribunal. Till then he cannot come up with a writ petition. Therefore, the writ petition is dismissed.

6. As a sequel, pending miscellaneous petitions, if any, shall stand closed. There shall be no order as to costs.

JUSTICE V. RAMASUBRAMANIAN

JUSTICE G. SHYAM PRASAD

22nd December, 2016
Js.



THE HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN
AND
THE HON'BLE SRI JUSTICE G. SHYAM PRASAD

WRIT PETITION No.45018 of 2016



Date: 22-12-2016

Js.