

THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN
AND
THE HON'BLE MS JUSTICE J.UMA DEVI

Writ Petition No.25580 of 2017

ORDER: (Per the Hon'ble the Acting Chief Justice Ramesh Ranganathan)

Heard Sri V.Nitesh, learned counsel for the petitioners, and Sri A.Satyanarayana, learned Standing Counsel for the respondent-bank and, with their consent, the writ petition is disposed of at the stage of admission.

The petitioners' complaint is that the respondent-bank, even without considering the objections submitted by them under Section 13(3a) of Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short "the SARFAESI Act"), is now forcing them to vacate the premises without adhering to the provisions of Sections 13(4) and 14 of the SARFAESI Act.

While Sri A.Satyanarayana, learned Standing Counsel for the respondent-bank, initially contended that the petitioners' representation was submitted even before a notice under Section 13(2) of the Act was issued, he later admitted that the respondent-bank is in receipt of the petitioners' representation.

As the Section 13(2) notice was admittedly served on the petitioners on 30.12.2016, suffice it to dispose of the writ petition directing the respondent-bank to pass a reasoned order on the petitioners' representation, communicate the same to them and, thereafter, initiate action to take possession of the subject premises in accordance with the provisions of the SARFAESI Act and the Rules made thereunder.

The Writ Petition is disposed of accordingly. Miscellaneous Petitions pending, if any, shall also stand disposed of. There shall be no order as to costs.

(RAMESH RANGANATHAN, ACJ)

(J.UMA DEVI, J)

07th August, 2017
JSU

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Date: 07.08.2017

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