

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

WRIT PETITION No.46904 of 2016

Between:

1. M/s. Vijayalaxmi Agro Products, rep. by its Partner Sri Manik Rao
and another.

PETITIONER

And

1. The A.P. State Financial Corporation, rep. by the Assistant General
Manager, Mahabubnagar Branch, Mahabubnagar Post & Mandal,
509001 and another.

RESPONSENTS



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

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

The petitioners, who are borrowers, have come up with the above writ petition challenging a notice issued under Section 13(2) of the SARFAESI Act, 2002.

2. Heard learned counsel appearing for the petitioners. Mr. Y.N. Lohita, learned counsel takes notice for A.P. State Finance Corporation.

3. We have been consistently holding that as against a notice under Section 13(2), no person has a cause of action. It is only after an order is passed under Section 13 (3A) of the Act and measures are taken under Section 13(4) that any person will have a cause of action to approach the Court. Therefore, the writ petition cannot be entertained till measures are taken. Therefore, the writ petition is dismissed.

4. 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

3rd January, 2017
Js.

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

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Date: 03-01-2017

Js.