

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH

THE HON' BLE SRI JUSTICE V. RAMASUBRAMANIAN

AND

THE HON' BLE MS. JUSTICE J. UMA DEVI

WRIT PETITION No.9205 OF 2018

Between:

M/ s. Mencers Karthikaya Constructions,
Rep. by its Proprietor Sri Singaraju Rambabu
S/ o. Hanumantha Rao, aged about 50 years,
Occ: Proprietor, R/ o. D.No.19-7-28A, Bandlamitta,
Ongole, Prakasam District.

...Petitioner

Vs.

The Authorized Officer,
Syndicate bank, Zonal Office,
Bagayanagar Colony, Ongole,
Prakasam District and another

.. Respondents

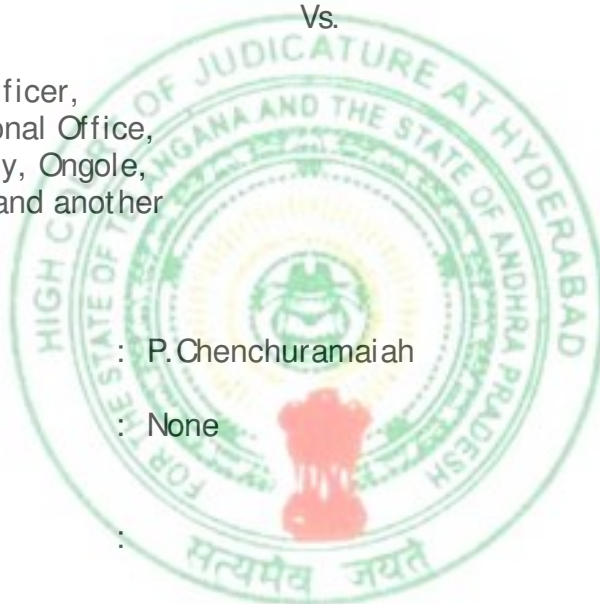
For Petitioner : P.Chenchuramaiah

For Respondents : None

Gist :

Head Note :

Cases Referred : Nil



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ORDER: (*Per V.Ramasubamaniaan, J*)

The petitioner has come up with the above writ petition challenging a demand notice dated 13.02.2018 issued under Section 13(2) of the Securitization Act, 2002.

2. Heard Mr. P.Chenchuramaiah, learned counsel for the petitioner.

3. A demand notice under Section 13(2) of the Securitization Act, does not give rise to a cause of action. In response to a demand notice, the borrower is obliged to give a reply and the Authorized Officer is obliged to pass an order under Sub-Section (3A) of Section 13 of the Act. It is only thereafter that the Authorized Officer will take measures under Section 13(4) of the Act. Until that stage is reached, there is no cause of action.

4. Hence, the writ petition is dismissed. Consequently, miscellaneous petitions if any pending in the writ petition shall stand dismissed. No order as to costs.

V. RAMASUBRAMANIAN, J

J. UMA DEVI, J

April 03, 2018
KTL