

*THE HON' BLE SRI JUSTICE V. RAMASUBRAMANIAN

AND

*THE HON' BLE MS. JUSTICE J. UMA DEVI

+ WRIT PETITION No.12976 of 2018

%Date: 16.04.2018

Between:

Sri R.Venkata Ramana S/o.Sri R.Chalamaiah
R/o.Maruthi Mega City, Nandyal Road, Kurnool.

.. Petitioner

Vs.

\$ ICICI Bank Limited, Registered office at
Race Course Circle, Vadodara, Branch at
Park Road, Kurnool and others

.. Respondents

! Counsel for petitioner : Mr.JUMV Prasad

^ Counsel for respondents : Mr.

<GIST:

>HEAD NOTE:

? CASES REFERRED: ----



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ORDER: (Per V.Ramasubramanian, J)

Aggrieved by the possession notice issued way back on 08.09.2016 and the order passed under Section 14 of the Securitisation and Reconstruction of financial Assets and Enforcement of Security Interest Act, 2002, on 22.03.2018, the petitioner has come up with the above writ petition.

2. Heard Mr.JUMV Prasad, learned counsel for the petitioner.

3. The petitioner was originally an employee in the judicial department. It appears that he resigned and started business. In the course of business he took a loan, but the account became a non performing asset.

4. A demand notice was issued on 30.09.2014 and a possession notice was issued on 08.09.2016. We do not know what the petitioner did from 08.09.2016, without challenging the possession notice.

5. According to the petitioner, the possession notice was not served on him. But, now he has come to know about the order passed under Section 14 of the Act. Therefore, he is before this Court. But, the petitioner has an effective alternative remedy of appeal under Section 17 of the Act. Even recently, the Supreme Court in Authorized Officer, State Bank of Travancore vs. Mathew K.C. (Civil Appeal No.1281 of 2018), dated 30.01.2018, has cautioned the High Courts about entertaining the writ petitions when the remedy of appeal is available.

6. Therefore, leaving it open to the petitioner to approach the Tribunal, the writ petition is dismissed.

7. 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 16, 2018

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