

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

**HON'BLE SRI JUSTICE V.RAMASUBRAMANIAN**

**AND**

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

**Writ Petition No.39087 of 2018**

05-11-2018

**Between:**

G.V. Ramana, S/o Prasada Rao, aged about 48 years,  
Occ: Business, R/o H.No.11-12-366/2/G1, Plot No.A-6/1,  
Road No.6, Sri Ramakrishna Puram, Saroornagar  
Mandal, Ranga Reddy District and another

... Petitioners

**Vs.**

Tirumala Cooperative Urban Bank Ltd., represented  
by its Authorised Office/Manager Mr. TSR Murthy,  
H.No.16-70-27/105, 1<sup>st</sup> floor, Tirumala Pride, Main Road,  
Opp: TMC Malakpet, Hyderabad

... Respondent

Counsel for the Petitioner : Mr. Ch. Anjaneyulu

Counsel for Respondents : None Appeared

**HON'BLE SRI JUSTICE V.RAMASUBRAMANIAN**

**AND**

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

**Writ Petition No.39087 of 2018**

**ORDER:** *(per V. Ramasubramanian, J)*

The petitioner has come up with the above writ petition, challenging an order passed by the Chief Metropolitan Magistrate, Cyberabad at L.B. Nagar, Ranga Reddy District, under Section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (Securitisation Act, 2002).

2. Heard Mr. Ch. Anjaneyulu, learned counsel for the petitioner.

3. The order of the Chief Metropolitan Magistrate, Cyberabad is dated 14-08-2018. The claim of the petitioner is that he had made certain payments, in February, March, September and October 2018 and that these payments are not taken into account.

4. But it is seen from the communication of the bank that a notice was issued under Section 13 (2) of the Securitisation Act, 2002, on 21-08-2017 followed by a possession notice dated 27-11-2017. Thereafter, the petitioner seems to have sent a cheque on 27-11-2017 for Rs.30,400/-. This is why the respondent-bank seems to have approached the Chief Metropolitan Magistrate.

5. In the light of the above, the appropriate course of action open to the petitioner is only to go before the Tribunal, where all these issues can be sorted out.

6. Therefore, leaving it open to the petitioner to go before the Debts Recovery Tribunal, the writ petition is dismissed. There shall be no order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending shall stand closed.

**V. RAMASUBRAMANIAN, J**

**J. UMA DEVI, J**

Date: 05-11-2018

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