

THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE SRI JUSTICE K.LAKSHMAN

WRIT PETITION NO.2546 OF 2019

ORDER: (per SK,J)

This writ petition was originally filed challenging the notice dated 03.12.2018 issued by the State Bank of India, Stressed Assets Recovery Branch, Hyderabad, under Section 13(2) of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002. However, the petitioner company chose to amend its prayer in the writ petition whereby it assailed the action of the State Bank of India in honouring a bank guarantee invoked by the Andhra Pradesh Tourism Development Corporation Limited, Vijayawada.

2. Sri Ambadipudi Satyanarayana, learned counsel appearing for the State Bank of India, would inform this Court that the subject bank guarantee was invoked by the Andhra Pradesh Tourism Development Corporation Limited, Vijayawada, in the present State of Andhra Pradesh and was honoured by the Tirupathi Branch of the State Bank of India. He would therefore state that no part of the cause of action in this writ petition arose within the State of Telangana whereby this Court would have jurisdiction to adjudicate upon the issue.

3. We find merit in this submission. The writ petition, as originally framed, pertained to a cause of action which arose within the territories of this Court but the amended prayer of the petitioner company is such that the cause no longer pertains to the State of Telangana.

4. The writ petition is accordingly dismissed on this short ground leaving it open to the petitioner company to take recourse to appropriate remedies available to it in accordance with law.

Pending miscellaneous petitions, if any, shall also stand dismissed.

No order as to costs.

SANJAY KUMAR,J

K.LAKSHMAN,J

Date:09.09.2019

PGS

