

(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)

MONDAY, THE FIFTH DAY OF MAY
TWO THOUSAND AND TWENTY FIVE

:PRESENT:

HONOURABLE SRI DHIRAJ SINGH THAKUR, THE CHIEF JUSTICE

AND

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

WRIT PETITION NO: 11805 OF 2025

Between:

Badampudi Ravi Kumar, S/o B.Agasthi Rao, Aged about 48 years, R/o 4-74,
Vinayaka Street, Siddantam, Penugonda Mandal, West Godavari District - 534
326

...Petitioner

AND

1. The Reserve Bank of India, C/o CGM and Secretary, Secretarys Department, Reserve Bank of India 16th Floor, Central Office Building, Shahid Bhagat Singh Road, Mumbai-400 001.
2. Canara Bank, A Government of India Undertaking, Represented by its Authorized Officer/Manager, Regional Office, Kakinada, D.No.2-26-1, Ward No.5, 50 Buildings Center, Srinagar, Kakinada, Andhra Pradesh - 533003
3. The Chief Manager, Canara Bank, D.No.8-872/1, Mallidi Kanikireddy Papavardhana Complex, Veditreswaram Road, Ravulapalem, Dr.B.R.Amdekar Konaseema District - 533 238.

...Respondents

WHEREAS the Petitioner above named through his Advocate SRI M R K CHAKRAVARTHY presented this Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a writ, order or

direction, more particularly like one in the nature of Writ of Mandamus declaring the action initiated under the SARFAESI Act, 2002, by the Respondent bank, in allegedly issuing a Demand Notice dated 04/01/2025 and issuance of Possession Notice dated 02/04/2025 under Section 13(4) of the Act, read with Rule 8 of the Security Interest (Enforcement) Rules, 2002 vide. Ref. No. 01/ROK/Possession-2777/2025 dated 02/04/2025 in respect of the Loan Account No. 2777667000002 of the Petitioner in lieu of the building (Nearest D.No.1-666) in Plot No.231 (Part) admeasuring 150 Sq.yds (out of 300 Sq.yds) layout land ad-measuring Ac.0-88 Cents (out of Ac.2.50 Cents) middle out of Ac.80-44 Cents (out of total extent of Ac.86-90 Cents), situated in R.S.No.73, Bommuru, Kadiyam Sub Registrar, Rajamundry Rural, East Godavari District, along with structures therein, as illegal, arbitrary and violate of principles of natural justice and violative of the SARFAESI Act and Articles 14, 19, 21 and 300 A of the Constitution of India and consequently quash the Demand Notice dated 04/01/2025, Possession Notice dated 02/04/2025 issued by the Respondent Bank under Sections 13(2) and 13(4) of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 and the Security Interest (Enforcement) Rules, 2002 and to refund an amount of Rs.3,10,000/- to the Petitioner towards rental income for the period from 04/08/2022 till 31/03/2025 @ Rs. 10,000/- per month.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri M R K CHAKRAVARTHY Advocate for the Petitioner, directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. The Reserve Bank of India, C/o CGM and Secretary, Secretarys Department, Reserve Bank of India 16th Floor, Central Office Building, Shahid Bhagat Singh Road, Mumbai-400 001.

2. The Authorized Officer/Manager, Canara Bank, A Government of India Undertaking, Represented by its Regional Office, Kakinada, D.No.2-26-1, Ward No.5, 50 Buildings Center, Srinagar, Kakinada, Andhra Pradesh - 533003
3. The Chief Manager, Canara Bank, D.No.8-872/1, Mallidi Kanikireddy Papavardhana Complex, Vedireswaram Road, Ravulapalem, Dr.B.R.Amdekar Konaseema District - 533 238.

are be and hereby directed to show cause either appearing in person or through an Advocate, as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted, on or before 15.07.2025, to which date the case stands posted for hearing.

The Court made the following: ORDER

Issue notice to the respondents returnable on 15.07.2025.

Service of personal notice is permitted.

List on 15.07.2025.

Sd/- U. SRI DEVI
ASSISTANT REGISTRAR

SECTION OFFICER

//TRUE COPY//

For

To,

1. The Reserve Bank of India, C/o CGM and Secretary, Secretaries Department, Reserve Bank of India 16th Floor, Central Office Building, Shahid Bhagat Singh Road, Mumbai-400 001.
2. The Authorized Officer/Manager, Canara Bank, A Government of India Undertaking, Represented by its Regional Office, Kakinada, D.No.2-26-

1, Ward No.5, 50 Buildings Center, Srinagar, Kakinada, Andhra Pradesh - 533003

3. The Chief Manager, Canara Bank, D.No.8-872/1, Mallidi Kanikireddy Papavardhana Complex, Veditreswaram Road, Ravulapalem, Dr.B.R.Amdekar Konaseema District - 533 238. **(Addressees 1 to 3 by RPAD- along with a copy of petition and affidavit)**

4. One CC to SRI. M R K CHAKRAVARTHY Advocate [OPUC]

5. Two spare copies

PSR

HIGH COURT

HC,J
&
RC,J

DATED:05/05/2025

NOTE: List on 15.07.2025.

NOTICE BEFORE ADMISSION

WP.No.11805 of 2025

