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APHC010235162025



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)**

[3602]

TUESDAY, THE 14th DAY OF JULY 2026

PRESENT

THE HONOURABLE SRI JUSTICE BATTU DEVANAND

&

THE HONOURABLE SMT JUSTICE SUNITHA GANDHAM

WRIT PETITION NO: 11805/2025

Between:

1. 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 3

...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 PAPAVERDHANA COMPLEX, VEDIRESWARAM ROAD, RAVULAPALEM, DR.B.R.AMDEKAR KONASEEMA DISTRICT - 533 238.

...RESPONDENT(S):

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) measuring 150 Sq.yds (out of 300 Sq.yds) layout land 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 pass

IA NO: 1 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to stay all further proceedings pursuant to the Demand Notice dated 04/01/2025 and Possession Notice dated 02/04/2025 including Auction/Sale of the Petitioner's building (Nearest D.No.1-666) in Plot No.231 (Part) measuring 150 Sq.yds (out of 300 Sq.yds) layout land 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, pending disposal of the Writ Petition and pass

IA NO: 2 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased may be pleased to direct the Respondent Bank to handover possession of the Petitioner's Building with Neares: 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 pending disposal of the Writ Petition and pass

IA NO: 3 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased may be pleased to permit the Petitioner to clean/repair the property viz.. Residential Building with 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 and pass

Counsel for the Petitioner:

1.KIRTHI TEJA KONDAVEETI

Counsel for the Respondent(S):

1.S SATYANARAYANA MOORTHY

2.T B L MURTHY

The Court made the following:

THE HON'BLE SRI JUSTICE BATTU DEVANAND
&
THE HON'BLE SMT JUSTICE SUNITHA GANDHAM
WRIT PETITION No.11805 of 2025

ORDER: *(Per Hon'ble Sri Justice Battu Devanand)*

This writ petition is filed against the action of the respondent-Bank in initiating proceedings against the petitioner under the SARFAESI Act, 2002, as illegal, arbitrary and violative of the principles of natural justice.

2. On behalf of the respondent-Bank, counter affidavit has been filed.

3. On behalf of the petitioner, reply affidavit has also been filed.

4. During the course of hearing of this writ petition today, learned counsel appearing for the respondent-Bank Nos.2 and 3, on instructions, submits that the account of the petitioner has been standardized and the SARFAESI proceedings initiated against the petitioner have been dropped.

5. Learned counsel for the respondent-Bank Nos.2 and 3, on instructions, further submits that the Bank is ready to hand over possession of the subject property to the petitioner.

6. Having considered the submissions made by the learned counsel for the respondent-Bank Nos.2 and 3, in our considered view, no further adjudication is required in the present writ petition. It is made clear that if the petitioner has any further grievance, he may approach the appropriate authority to reclaim his remedies.

7. Learned counsel for the petitioner further requests to issue direction to the respondent-Bank to hand over possession of the subject property to the petitioner within a period of two (02) weeks.

8. Considering the fact that the respondent-Bank is also ready to hand over possession of the subject property to the petitioner, the respondent-Bank is directed to hand over the same to the petitioner within a period of two (02) weeks from the date of receipt of a copy of this order.

9. With the above direction this Writ Petition is disposed of. There shall be no order as to costs.

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

JUSTICE BATTU DEVANAND

JUSTICE SUNITHA GANDHAM

Date: 14.07.2026
SA

Whether the order is :

Speaking Yes/No / Reasoned Yes/No

Reportable Yes/No / Non-Reportable Yes/No

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THE HON'BLE SRI JUSTICE BATTU DEVANAND
&
THE HON'BLE SMT JUSTICE SUNITHA GANDHAM

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