



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI**

Bench
Sr.No:-39
[3446]

WRIT PETITION NO: 16238 of 2025

Vijaya Durga Vegetables Merchants and others

...Petitioners

Vs.

The Authorized Officer and others

...Respondents

Advocate for Petitioners:

Ms. Sk. Shahedaz appearing vice
Mr. Ravi Teja Gude

Advocate for Respondents:

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**CORAM : THE CHIEF JUSTICE DHIRAJ SINGH THAKUR
SRI JUSTICE R. RAGHUNANDAN RAO**

DATE : 3rd July, 2025.

P C :

The case of the petitioners is that a loan was jointly taken by Prasad Mekapothula and Ramana Mekapothula who are wife and husband respectively. Property standing in the name of Ramana Mekapothula was mortgaged with the bank. On account of the default, proceedings under the SARFAESI Act were initiated. Notice under Section 13(2) was issued jointly in the name of Prasad Mekapothula and Ramana Mekapothula. This was responded to by a legal notice served on behalf of Prasad Mekapothula, informing the bank, *inter alia* that Ramana Mekapothula had since passed away on 22.05.2021.

It is stated that in the ordinary course the notice ought to have been yet again issued in the name of all the legal heirs of Ramana Mekapothula who

have a stake in the property which stood in the name of Ramana Mekapothula and was mortgaged.

It is thus stated that proceedings having been initiated against a dead person insofar as Ramana Mekapothula is concerned are *non est* in the eyes of law.

Issue notice to the respondents, returnable on 28.08.2025.

List on 28.08.2025.

In the meantime, the operation of the impugned proceedings is stayed.

The present order shall not prevent the respondents from issuing yet another notice in accordance with law to the concerned.

DHIRAJ SINGH THAKUR, CJ.

R. RAGHUNANDAN RAO, J.

Note:- Issue C.C. today

B/o.

SSN