

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

THURSDAY, THE FIFTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY TWO

:PRESENT:

THE HONOURABLE SRI JUSTICE R RAGHUNANDAN RAO

WRIT PETITION NO: 28436 OF 2022

Between:

Konduru Narasa Raju, S/o China Subba Raju, Aged about 62 years, R/o. D.No. 16-1090, K V Agraharam, Trunk Road, Nellore, SPSR Nellore, Andhra Pradesh - 524003.

...Petitioner

AND

1. State Bank of India, Rep. by its Chief Manager, Administrative Office, Renigunta Road, Tirupati, Chittor District, Andhra Pradesh-517501
2. State Bank of India, Rep. by its Zonal Manager, Tirupati, Andhra Pradesh - 517507.
3. Punjab National Bank, Rep. by its Chief manager, JCPC+VP8, VV Mahal Rd, RS Gardens, Reddy and Reddy's Colony, Tirupati, Andhra Pradesh 517501
4. Indian Banks Association, 6th Floor Centre 1 Building, World Trade Centre Complex, Cuffe Parade, Mumbai 400005.
5. Reserve Bank of India, Represented by its General Manager, Department of Banking Supervision Reserve Bank of India, Central Office Centre 1, World Trade Centre Mumbai - 400 005.

...Respondents

WHEREAS the Petitioner above named through his Advocate SRI KATHI THRIVENI 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 writ, order, or direction, one more particularly in the nature of "Writ of Mandamus" declaring the action of Respondents, more particularly, the 4th Respondent in including the name of the Petitioner in the Caution List circulated vide proceedings No. OPR/CIR/Fr/TPE/4869 dated. 12.04.2018 (in placing the name of the Petitioner on the IBA caution list of third parties at Serial. No.756, Page SI No. 254) pursuant to Letter Ref dated. 06.04.2018 issued by the 4th Respondent, which is circulated to all the Banks which are Members of 4th Respondent as being illegal, arbitrary, unjust, in violation of Articles 14, 19(1)(g) and 21 of the Constitution of India, and in violation of the principles of natural justice, and in violation of RBI (5th Respondent) Guidelines issued vide Circular No.DBS.CO.CFMC.BC.No.1/23.04 .001/2016-17 dated 01.07.2017 (updated on 03.07.2017), and consequently to set aside the same, and it is consequently prayed to direct the 4th Respondent not to be influenced with the instructions of the 3rd Respondent Bank and direct the 1st and 2nd respondents to empanel the petitioner de hors their letter Ref A.O/TPT/CM-CR/F-NO. 400 dated 18.02.2020.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and the earlier order of the High Court dated 06.09.2022 made herein and upon hearing the arguments of M/s. KATHI THRIVENI Advocate for the Petitioner, and of Sri S.Satya Narayana Moorthy, Advocate for the respondent Nos.1 & 2, directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. State Bank of India, Rep. by its Chief Manager, Administrative Office, Renigunta Road, Tirupati, Chittoor District, Andhra Pradesh-517501
2. State Bank of India, Rep. by its Zonal Manager, Tirupati, Andhra Pradesh - 517507.
3. Punjab National Bank, Rep.by its Chief manager, JCPC+VP8, VV Mahal Rd, RS Gardens, Reddy and Reddy's Colony, Tirupati, Andhra Pradesh 517501
4. Indian Banks Association, 6th Floor Centre 1 Building, World Trade Centre Complex, Cuffe Parade, Mumbai 400005.
5. Reserve Bank of India, Represented by its General Manager, Department of Banking Supervision Reserve Bank of India, Central Office Centre 1, World Trade Centre Mumbai - 400 005.

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 17.10.2022, on which date the case stands posted for hearing.

IA NO: 1 OF 2022

Petition under Section 151 CPC is filed 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 4th Respondent not to be influenced with the instructions of the 3rd Respondent Bank and direct the 1st and 2nd respondents to empanel the petitioner de hors their letter Ref. A.O/TPT/CM-CRIF-NO: 400 dated 18.02.2020, pending disposal of WP No. 28436 of 2022, on the file of the High Court.

IA NO: 2 OF 2022

Petition under Section 151 CPC is filed 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 suspend the Caution List issued by the 4th Respondent circulated vide proceedings No. OPR/CIR/Fr/TPE/4869 dated. 12.04.2018 only to the extent of the Petitioner who was referred/ arrayed at Serial. No. 756, Page SI No. 254, i.e. to direct the 4th Respondent to remove the name of the Petitioner from the Third Party Entities Caution involved in frauds from the website maintained by 4th Respondent, pending disposal of WP No. 28436 of 2022, on the file of the High Court.

The Court made the following: ORDER

“Notice before admission.

Learned counsel for the petitioner is permitted to take out personal notice to respondents 1 to 5 by RPAD and file proof of service by the next date of hearing.

Post on 17.10.2022.

Interim direction granted earlier is extended till 30.10.2022".

Sd/-T.MADHAVI
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The Chief Manager, Administrative Office, State Bank of India, Renigunta Road, Tirupati, Chittoor District, Andhra Pradesh-517501
2. The Zonal Manager, State Bank of India, Tirupati, Andhra Pradesh - 517507.
3. The Chief manager, Punjab National Bank, JCPC+VP8, VV Mahal Rd, RS Gardens, Reddy and Reddy's Colony, Tirupati, Andhra Pradesh 517501
4. Indian Banks Association, 6th Floor Centre 1 Building, World Trade Centre Complex, Cuffe Parade, Mumbai 400005.
5. The General Manager, Reserve Bank of India, Department of Banking Supervision Reserve Bank of India, Central Office Centre 1, World Trade Centre Mumbai - 400 005.(Addresses 1 to 5 by RPAD)
6. One CC to Sri. Kathi Thriveni, Advocate [OPUC]
7. One CC to Sri. S.Satya Narayana Moorthy, Advocate [OPUC]
8. One spare copy

KN

HIGH COURT

RRR, J

DATED:15/09/2022

Post on 17.10.2022.

NOTICE BEFORE ADMISSION

WP.No.28436 of 2022

