

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

TUESDAY, THE TWENTY NINTH DAY OF OCTOBER  
TWO THOUSAND AND TWENTY FOUR

:PRESENT:

HONOURABLE THE CHIEF JUSTICE DHIRAJ SINGH THAKUR

AND

HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

WRIT PETITION NO: 24813 OF 2024

Between:

M/s Sree Sarva Lakshmi Agencies, Partnership firm Rep.by its  
Managing Partner, Sri Kancharla Veera Venkata Ramalingeswara Rao,  
S/o.Lakshmi Narayana Aged 59 Years,D.No. 27-1-4, Perraju Street, Old  
Warf, Kakinada - 533 001

Petitioner

AND

1. State Bank of India, SARB, Rep.by its Chief Manager, Siripuram, Visakhapatnam.
2. The Recovery Officer - II, Debts Recovery Tribunal, Visakhapatnam District.
3. The Manager, Stressed Assets Recovery Branch, State Bank of India, Siripuram, Visakhapatnam.
4. Sri.Parameswari Devi, Advocate Commissioner appointed under warrant dated 05-08-2024, 50-2-8, Gandhi Nagar, Nakkavaripalem, Visakhapatnam.

Respondents

WHEREAS the Petitioner above named through its Advocate Sri V V SATISH 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 any writ, order or direction more

particularly one in the nature of Writ of Mandamus declaring the action of Respondents No. 3 and 4 in interfering with property of the petitioner by enforcing the demand under old one recovery certificate though the orders passed by DRT in OA No. 257/2018 was modified under the orders passed in Appeal No. 97/2024 dated 06-09-2024 on the file of Debts Recovery Appellate Tribunal and amended recovery certificate has not been issued and ignoring fact that the petitioner deposited the amounts as directed by the DRAT as illegal, arbitrary and violation of Article 14 and 300 A of the Constitution of India and to consequently direct the respondent to close the loan account and issued NOC to the petitioner and further direct the respondents not to interfere with the properties of the petitioner under loan Account No. 31195003803;

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri V V SATISH Advocate for the Petitioner and of SRI K.SATYANARAYANA MOORTHY, Advocate for the Respondent Nos.1 & 3 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 Chief Manager, State Bank of India, SARB, Siripuram, Visakhapatnam.
2. The Recovery Officer - II, Debts Recovery Tribunal, Visakhapatnam District.
3. The Manager, Stressed Assets Recovery Branch, State Bank of India, Siripuram, Visakhapatnam.
4. Sri.Parameswari Devi, Advocate Commissioner appointed under warrant dated 05-08-2024, 50-2-8, Gandhi Nagar, Nakkavaripalem, Visakhapatnam.

are be and hereby directed to show cause either appearing in person or through an advocate on or before 02.12.2024 to which date the case stands posted 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.

**IA NO: 1 OF 2024 :**

Petition under Section 151 of CPC is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the respondents not to interfere with the petitioners properly which were secured assets under Loan Account No.31195003803, pending disposal of WP No. 24813 of 2024, on the file of the High Court.

**The Court made the following ORDER:**

**"Notice.**

**Sri K. Satyanarayana Moorthy, learned counsel, waives service for respondent Nos.1 & 3.**

**Objections be filed in three (3) weeks.**

**List on 02.12.2024 along with W.P.No.23564 of 2024.**

**In the meantime, subject to the petitioner depositing with the Debts Recovery Appellate Tribunal, Kolkata (D.R.A.T.) the principal amount, as is now payable in terms of the order of the D.R.A.T., along with interest at the rate of 9% calculated thereupon, after taking due consideration of an amount of Rs.54,20,000/-, which is already deposited with the D.R.A.T., within one week from today, the order impugned shall remain stayed."**

**//TRUE COPY//**

**For A**

**Sd/- B. PRASADA RAO  
ASSISTANT REGISTRAR**

**SECTION OFFICER**

**To,**

- 1. The Chief Manager, State Bank of India, SARB, Siripuram, Visakhapatnam.**
- 2. The Recovery Officer - II, Debts Recovery Tribunal, Visakhapatnam District.**
- 3. The Manager, Stressed Assets Recovery Branch, State Bank of India, Siripuram, Visakhapatnam.**

4. Sri.Parameswari Devi, Advocate Commissioner appointed under warrant dated 05-08-2024, 50-2-8, Gandhi Nagar, Nakkavaripalem, Visakhapatnam. (1 to 4 by RPAD)
5. One CC to SRI. V V SATISH Advocate [OPUC]
6. One CC to SRI. S SATYANARAYANA MOORTHY Advocate [OPUC]
7. Two spare copies

ER



**HIGH COURT**

**HC, J**

**&**

**RC, J**

**DATED:29/10/2024**

**LIST ON 02.12.2024 ALONG WITH W.P.NO.23564 OF 2024**

**NOTICE BEFORE ADMISSION**

**WP.No.24813 of 2024**

**STAY**

