

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

FRIDAY, THE TWENTY SIXTH DAY OF SEPTEMBER,
TWO THOUSAND AND TWENTY FIVE

:PRESENT:

THE HONOURABLE SRI DHIRAJ SINGH THAKUR, CHIEF JUSTICE

AND

THE HONOURABLE SRI JUSTICE R RAGHUNANDAN RAO

WRIT PETITION NO: 26704 OF 2025

Between:

Kondiboyina Kalyan Chakravarthy, S/o Jayachandra Raju, aged about 49 years, R/o D.No.30-20/1-17, Kotilingam Vari Street, Seetharampuram, Vijayawada - 520 002

...Petitioner

AND

1. Union Of India, rep., by it's Secretary, Ministry of Finance, New Delhi - 110 001
2. M/s IKF Finance Ltd., rep., by its Authorized Officer, O/o D.No.40-1-144, Corporate Center, M.G. Road, Vijayawada - 520 010
3. SBI RACPC-II, rep., by its Branch Manager, Ramachandra Nagar Rd, Siddhartha Nagar, Benz Circle, Vijayawada - 520 010
4. M/s Prasad Constructions, rep., by its Prop., Chagantipati Prasad, aged about 49 years, R/o D.No.2-18, Ramalayam St., Ramavarappadu, Vijayawada - 521 108
5. Chagantipati Prasad, S/o Venkateswara Rao, aged about 49 years, R/o D.No.2-18, Ramalayam St. Ramavarappadu, Vijayawada - 521 108

...Respondents

WHEREAS the Petitioner above named through his Advocate Sri Pothina Gagan Karthik presented this Petition under Article 226 of the Constitution of India is filed praying that in the circumstances stated in the



affidavit filed therewith, the High Court may be pleased to issue a writ / order or direction particularly in the nature writ of Mandamus declaring the Auction Notice Dt 11.08.2025 issued by the Respondent No.2 under Rule 6(2)/8(6) of the Security Interest (Enforcement) Rules 2002 as violative of Art., 14 and 300-A of the Constitution of India besides being in violation of SARFEASI Act and the Rules on the subject, directing not to proceed further;

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri Pothina Gagan Karthik, Advocate for the Petitioner and of Additional Solicitor General of India for Respondent No.1, 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 Secretary, Ministry of Finance, Union Of India, New Delhi - 110 001
2. The Authorized Officer, M/s IKF Finance Ltd., O/o D.No.40-1-144, Corporate Center, M.G. Road, Vijayawada - 520 010
3. The Branch Manager, SBI RACPC-II, Ramachandra Nagar Rd, Siddhartha Nagar, Benz Circle, Vijayawada - 520 010
4. The Prop., Chagantipati Prasad, M/s Prasad Constructions, aged about 49 years, R/o D.No.2-18, Ramalayam St., Ramavarappadu, Vijayawada - 521 108
5. Chagantipati Prasad, S/o Venkateswara Rao, aged about 49 years, R/o D.No.2-18, Ramalayam St. Ramavarappadu, Vijayawada - 521 108

be and hereby are directed to show cause, either appearing in person or through 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 22.12.2025, on which date the case stands posted for hearing.

IA NO: 1 OF 2025

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 to direct the Respondent No.2 not to conduct Auction vide the Auction Notice Dt:11.08.2025 issued under Rule 6(2)/8(6) of the Security Interest (Enforcement) Rules 2002, pending disposal of WP No. 26704 of 2025, on the file of the High Court.

THE COURT MADE THE FOLLOWING ORDER:

“Learned counsel for the petitioner states that the proceedings initiated under the SARFAESI Act by respondent No.2 are unsustainable inasmuch as no notice under Section 13(2) was ever issued to the petitioner.

Issue notice to the respondents, returnable on 22.12.2025.

Personal notice on respondents is permitted.

List on 22.12.2025.

Further proceedings under the SARFAESI Act shall remain stayed till the next date of hearing.”

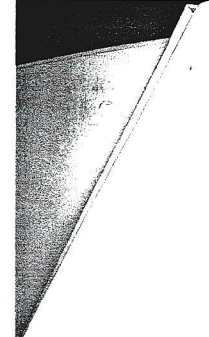
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**SD/- U. SRIDEVI
ASSISTANT REGISTRAR**

SECTION OFFICER

To,

1. The Secretary, Ministry of Finance, Union Of India, New Delhi - 110 001
2. The Authorized Officer, M/s IKF Finance Ltd., O/o D.No.40-1-144, Corporate Center, M.G. Road, Vijayawada - 520 010
3. The Branch Manager, SBI RACPC-II, Ramachandra Nagar Rd, Siddhartha Nagar, Benz Circle, Vijayawada - 520 010
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5. Chagantipati Prasad, S/o Venkateswara Rao, aged about 49 years, R/o D.No.2-18, Ramalayam St. Ramavarappadu, Vijayawada - 521 108.
(Addressee Nos. 1 to 5 by RPAD- along with a copy of petition and affidavit)

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6. One CC to Sri Pothina Gagan Karthik, Advocate [OPUC]
 7. One CC to Additional Solicitor General of India [OPUC]
 8. One spare copy.

PSD

HIGH COURT

HC,J

&

RRR,J

DATE:26/09/2025

NOTE: LIST ON 22.12.2025

NOTICE BEFORE ADMISSION

WP.No.26704 of 2025

STAY

