



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

**MONDAY, THE TWENTY FOURTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY FIVE**

:PRESENT:

**THE HONOURABLE SRI JUSTICE CHEEKATI MANAVENDRANATH ROY
AND**

THE HONOURABLE SRI JUSTICE TUHIN KUMAR GEDELA

WRIT PETITION NO: 32727 OF 2025

Between:

1. Vijetha Super Market, (Unit Hotel Vijetha Inn) TS No. 310/1 part AND 310/2, part, Hotel Vijetha Inn, Gorlevvari Street, Near Ramalayam, GT Road, Srikakulam-523001, Represented by its Managing Partner Kamineni Sankara Rao, S/o.Basavanadham
2. M/s. Vijetha Commercial Complex, S.No. 170/1, Opp. East Gate of Govt. Polytechnic College, Kusalapuram Village, Municipal Corporation limits, Etcherla mandal, Srikakulam, -532001, Represented by its Proprietor Kamineni Sankara Rao, S/o.Basavanadham
3. Kamineni Sankara Rao, S/o Basavanadham Aged 56 Years, R/o Hotel Vijetha Inn 5th Floor, Gorlevvari Street near Ramalayam, Srikakulam, 532001.
4. Kamineni Viswathi, W/o Sankara Rao, Aged 51 Years, R/o Hotel Vijetha Inn 5th Floor, Gorlevvari Street near Ramalayam, Srikakulam, 532001.

...Petitioners

AND

1. Union Bank of India, Rep. by its Chief Manager, UFMB Branch, G.T Road, Srikakulam- 532001. Ubin0805131@unionbankofindia.bank
2. The Authorised Officer, Union Bank of India, UFMB Branch, G.T Road, Srikakulam- 532001. Ubin0805131@unionbankofindia.bank

3. The Regional Head, Union Bank of India, D.No.8, Venkatapuram Jn New Bridge Road, Near Simhadwaram Srikakulam, Andhra Pradesh-532410
4. The Director, MSME-DFO (Micro, Small and Medium Enterprises Development and Facilitation Office) Office at Plot No. 6, Industrial Corridor-Pudi Achutapuram, Vishakhapatnam, 531011.

...Respondents

WHEREAS the Petitioners above named through their Advocate M/s CKR ASSOCIATES 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 a writ or order or direction more particularly one in the nature of Writ of Mandamus declaring that the action of the Respondent Bank in issuing Possession Notices dated 15.11.2025 under Rule 8(1) of the Security Interest (Enforcement Rules), 2002, proposing to take physical possession of the Petitioners properties mentioned in Schedule of Properties, without awaiting the completion of the implementation of the Framework for revival and rehabilitation of MSMEs, as wholly illegal, arbitrary, unjust, untenable, Contrary to the provisions of The Securitisation And Reconstruction of Financial Assets and Enforcement Of Security Interest Act, 2002 (SARFAESI) Act, The Micro, Small and Medium Enterprises Development (MSMED) Act, 2006, Contrary to the Judgment of the Hon'ble Apex Court rendered in M/s.Pro Knits Vs The Board of Directors of Canara Bank 2024 10 SCO 292 and Shri Shri Swami Samarth Construction and Finance Solution and Another Vs Board of Directors of NKGSB Co-op. Bank Ltd, 2025 SCC OnLine SC 1566, besides being violative of Article 14, 21 and 300-A of Constitution of India, 1950.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of M/s CKR ASSOCIATES Advocate for the Petitioners, and of SRI K.RANGA SURYA PRAKASH RAO,

Standing Counsel for the Respondent Nos.1 to 3, directed issue of notice to the Respondent No.4 herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

The Director, MSME-DFO (Micro, Small and Medium Enterprises Development and Facilitation Office) Office at Plot No. 6, Industrial Corridor-Pudi Achutapuram, Vishakhapatnam, 531011.

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 22.12.2025, to which date the case stands posted for hearing.

The Court made the following: ORDER

Mr. K.Ranga Surya Prakash Rao, learned Standing Counsel for Union Bank of India takes notice for respondent Nos.1 to 3 and requests time to file counter affidavit.

Issue notice to respondent No.4, returnable in four (4) weeks.

List the matter on 22.12.2025.

**SD/- K.TATA RAO
DEPUTY REGISTRAR**

//TRUE COPY//

SECTION OFFICER

For

To,

1. The Director, MSME-DFO (Micro, Small and Medium Enterprises Development and Facilitation Office) Office at Plot No. 6, Industrial Corridor-Pudi Achutapuram, Vishakhapatnam, 531011. **(by RPAD- along with a copy of petition and affidavit)**

2. One CC to M/s CKR ASSOCIATES, Advocate [OPUC]
3. One CC to SRI K.RANGA SURYA PRAKASH RAO, Standing Counsel [OPUC]
4. **Two spare copies**

PSR

HIGH COURT

**CMR,J
&
GTK,J**

DATED:24/11/2025

NOTE: LIST THE MATTER ON 22.12.2025.

NOTICE BEFORE ADMISSION

WP.No.32727 of 2025

