



IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

TUESDAY, THE SECOND DAY OF DECEMBER

TWO THOUSAND AND TWENTY FIVE

:PRESENT:

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

**THE HONOURABLE SRI JUSTICE TUHIN KUMAR GEDELA
IA No. 1 OF 2025**

IN

WP NO: 33659 OF 2025

Between:

1. Gaddam Venkat, S/o Koteswararao, Aged 27 Years, Occ: Agricultural, R/o. D.No.3-29, Godavarru Village, Duggirala Mandal, Guntur District-522330.
2. Gaddam Ranimma, W/o Pedda. Koteswara Rao, Aged 27 Years, Occ: Agricultural, R/o. D.No.3-29, Godavarru Village, Duggirala Mandal, Guntur District-522330

Petitioners

AND

1. M/s Equitas Small Finance Bank Limited, Represented by Its Managing Director & Chief Executive officer, Regd. Office 4th Floor, Phase II, Spencers Plaza, Phase 769, Anna Salai, Chennai, Tamilnadu State - 600002.
2. M/s Equitas Small Finance Bank Limited, Represented by Its Authorised Officer, D.No.22-5-77, Sri Surabhi Square, 1st Floor, Sarojini naidu Street, Kothapeta, Tenlai, Guntur District.

Respondents

Counsel for the Petitioner :SRI TATA SINGAIAH GOUD

Counsel for the Respondent :

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 respondents No 2 to return the physical possession of schedule property of Residential house lock and key of D.No 3-29 (as per House tax) to an extent of 145 square yards with plinth area of 480 feet of RCC House building D.No 54-5 situated at Godavarru Village, Duggirala Mandal, Guntur District to the petitioner including STAY of all further proceedings, Pending disposal of WP No. 33659 of 2025, on the file of the High Court.

The court, while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the following order.(The receipt of this order will be deemed to be the receipt of notice in the case).

ORDER

The measures initiated by the respondent institution under the SARFAESI Act for recovery of the loan amount from the petitioners, who are the principal borrowers are questioned in the writ petition mainly on the ground that a financial institution can invoke the provisions of the SARFAESI Act only when the due amount sought to be recovered is above Rs.20,00,000/- and if the due amount is below Rs.20,00,000/- that they cannot invoke SARFAESI Act and initiate proceedings thereunder as per notification dated 24.02.2020 bearing S.O.856(E) as modified by notification dated 12.02.2021 bearing S.O.652(E) issued in exercise of powers vested in the Government in terms of Section 2(1)(m)(iv) of SARFAESI Act.

On the same grounds, when the measures initiated by the financial institution are questioned, a Coordinate Bench of this Court earlier in Writ Petition No.28403 of 2025 as per order dated 14.10.2025 ordered for stay of operation of the impugned proceedings therein.

Therefore, in view of the above, there shall be interim stay of further proceedings and to maintain Status-Quo as on today, till the next date of hearing.

//TRUE COPY//

SD/- K.J.RAJA BABU
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Managing Director & Chief Executive officer, M/s Equitas Small Finance Bank Limited, Regd. Office 4th Floor, Phase II, Spencers Plaza, Phase 769, Anna Salai, Chennai, Tamilnadu State - 600002.
2. The Authorised Officer, M/s Equitas Small Finance Bank Limited, D.No.22-5-77, Sri Surabhi Square, 1st Floor, Sarojini naidu Street, Kothapeta, Tenlai, Guntur District. (1 & 2 by RPAD)
3. One CC to SRI. TATA SINGAIAH GOUD Advocate [OPUC]
4. Two spare copies

HIGH COURT

CMR,J

&

GTK,J

DATED:02/12/2025

LIST THE MATTER ON 30.12.2025

ORDER

IA.NO.1 OF 2025

IN

WP.No.33659 of 2025

INTERIM STAY

