

(SHOW CAUSE NOTICE BEFORE ADMISSION)
HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
(Special Original Jurisdiction)

WEDNESDAY, THE SIXTH DAY OF MAY
TWO THOUSAND AND TWENTY SIX

:PRESENT:
THE HONOURABLE JUSTICE MOUSHUMI BHATTACHARYA
AND
THE HONOURABLE SRI JUSTICE GADI PRAVEEN KUMAR
WP NO: 16006 OF 2026

Between

Balagouni Balraj Goud, S/o. Lingamaiah Goud

...Petitioner

AND

Shriram Finance Limited, Rep by its Authorized Officer D.No.3-6-629, 4th Floor
Bhoopal Reddy Complex, Street No.08 Himayathnagar, Hyderabad - 500 029 Rep
by its Authorized Signatory.

...Respondent

WHEREAS the Petitioner above named through his Advocate SRI. MAGANTI SATYANARAYANA 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, order or direction more particularly one in the nature of Writ of Mandamus:-

- a. Declaring that the Orders dated 23.3.2026 passed by the Learned Debt Recovery Tribunal 1 at Hyderabad in S.A.No.108/2024 as highly illegal and consequently set aside the same.
- b. Declaring that the orders dated 10.4.2024 of the Learned XVII Addl. Chief Metropolitan Magistrate passed in CrI.M.P.No.772/2024 appointing an Advocate Commissioner to take the physical possession of the Schedule Property is highly illegal and consequently set aside the same.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of SRI. AVINASH DESAI Senior Counsel representing SRI. MAGANTI SATYANARAYANA Advocate for the Petitioner, directed issue notice to Respondent, herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

The Authorized Officer, Shriram Finance Limited, D.No.3-6-629, 4th Floor
Bhoopal Reddy Complex, Street No.08 Himayathnagar, Hyderabad - 500 029.

are directed to show cause on or before 08-06-2026 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.

I.A. NO: 1 OF 2026

Petition under Section 151 of C.P.C praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to interim suspension may be granted against the Orders dated 23.3.2026 passed in S.A.No.108/24 and consequently suspend the orders dated 10.4.2024 in Crl.M.P.No.772/24 passed by the Learned XVII Addl. Chief Metropolitan Magistrate, at Nampally, Hyderabad, pending disposal of WP.No.16006 of 2026, on the file of the High Court.

THE COURT MADE THE FOLLOWING ORDER:

We have heard learned Senior Counsel appearing for petitioner who has made his submissions assailing the order dated 23.03.2026 passed by the Debt Recovery Tribunal-I, Hyderabad, dismissing the Second Appeal filed by the writ petitioner.

The petitioner is a Borrower of a loan from the respondent/Bank in the Writ Petition. The primary ground for the DRT for dismissing the Second Appeal is that the petitioner received a demand notice under section 13(2) of The Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 ('SARFAESI Act') and the respondent-Bank followed the Rules as contemplated under The Security Interest (Enforcement) Rules, 2002.

Senior Counsel further submits that the objection taken by the petitioner with regard to non-registration under section 26(D) of the SARFAESI Act, was not considered by the Tribunal at all and has drawn our attention to the relevant grounds raised before the Tribunal, particularly paragraph 11(c) thereof.

Issue notice, including personal notice, to the respondents.

We consider it fit to grant limited protection to the writ petitioner. The respondent-Bank shall not take any coercive steps until further orders passed by this Court or until the disposal of the Writ Petition, whichever is earlier.

List on 08.06.2026 along with W.P.No.14068 of 2026.

Sd/- K.BHAVANI SWAMY
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Authorized Officer, Shriram Finance Limited, D.No.3-6-629, 4th Floor Bhoopal Reddy Complex, Street No.08 Himayathnagar, Hyderabad - 500 029 [by SPAD along with a copy of petition and affidavit].
2. One CC to SRI. MAGANTI SATYANARAYANA, Advocate [OPUC].
3. Two spare copies

ZEE

HIGH COURT

MB,J & GPK,J

DATED: 06-05-2026

LIST ON 08.06.2026 ALONG WITH W.P.NO.14068 OF 2026.

NOTICE BEFORE ADMISSION

WP.No.16006 of 2026

DIRECTION

