

**HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
(Special Original Jurisdiction)**

**SATURDAY, THE TWENTY FIFTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY FIVE**

PRESENT

**THE HONOURABLE JUSTICE MOUSHUMI BHATTACHARYA
AND
THE HONOURABLE SRI JUSTICE GADI PRAVEEN KUMAR**

WRIT PETITION NO: 31901 OF 2025

Between:

BejeeraMeni Sravanthi, w/o.Mr. Bejeerameni Santhosh Kumar Aged about 39 Year,
Occ. House wife R/o H. o. 12-1-509, Flat No. 401-C 4th Floor Kirthi Towers Opposite
Nafeez Function Hall Lalapet, Secunderabad Hyderabad- Telangana- 500017

...PETITIONER

AND

1. IKF Home Finance, Rep by its Authorized officer First Floor, Flat No. 6-3-902/
A Plot No.1, Central Plaza Building Near Yashoda Hospital Raj Bhavan Road,
Somajiguda Hyderabad- 82
2. Shri Mohammed Shahid Ali, Advocate commissioner Secunderabad Bar
association

...RESPONDENTS

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 an appropriate writ order or direction more particularly one in the nature of Writ of CERTIORARI considering the Act of respondent No. 2 at the behest of respondent No. 1 in opting to take possession of property ie., All that the Flat No. 302 B (Assessed as No. 12-1-509/B/ 302) in third Floor Admeasuring 1130 Square Feet (Inclusive of Common Area (together with Un Divided Share of Land 47 Square Yards(out of Total Extent of 5003 Square Yards) in the Building Known as Sree Keerthi Towers Constructed in the Premises Bearing No. 12-1-509 of Survey No. 60, situate at Lalapet Village Tarnaka Secunderabad Telangana state and Bounded on the (PTIN No. 1181218394) without issuing notices under section 13 (2), 13 (4) of SARFAESI Act and for non consideration of petitioners representation sent through registered post and acknowledgment

due dated 26.09.2025 served on respondent No. 1 on 27.09.2025, consequently direct the respondent No. 2 not to take the possession of the above flat till petitioners representation dated 26.09.2025 is considered in accordance of law.

IA NO: 1 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to Dispense with filing of possession of the above said Flat No. 302 B (Assessed as No. 12-1-509/B/ 302) in third Floor Admeasuring 1130 Square Feet (Inclusive of Common Area (together with Un Divided Share of Land 47 Square Yards(out of Total Extent of 5003 Square Yards) in the Building Known as Sree Keerthi Towers Constructed in the Premises Bearing No. 12-1-509 of Survey No. 60, situate at Lalapet Village Tarnaka Secunderabad Telangana state.

IA NO: 2 OF 2025

Petition under Section 151 CPC 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 take the possession of the above said Flat No. 302 B (Assessed as No. 12-1-509/B/ 302) in third Floor Admeasuring 1130 Square Feet (Inclusive of Common Area(together with Un Divided Share of Land 47 Square Yards(out of Total Extent of 5003 Square Yards) in the Building Known as Sree Keerthi Towers Constructed in the Premises Bearing No. 12-1-509 of Survey No. 60, situate at Lalapet Village Tarnaka Secunderabad Telangana state.

Counsel for the Petitioner : SRI M.RATHAN SINGH

Counsel for the Respondents: --

The Court made the following: ORDER

**THE HON'BLE JUSTICE MOUSHUMI BHATTACHARYA
AND
THE HON'BLE JUSTICE GADI PRAVEEN KUMAR**

WRIT PETITION NO.31901 OF 2025

Mr. M. Rathan Singh, learned counsel appearing for the petitioner.

ORDER: *(Per Hon'ble Justice Moushumi Bhattacharya)*

1. The petitioner claims to be a co-applicant of a bank loan taken by her husband vide Loan Account No.LNSM00323-240008949 from the respondent No.1. The subject matter of the present Writ Petition is a Possession Notice issued by the respondent No.1 on 23.08.2025.
2. Counsel appearing for the petitioner submits that the respondent No.1 failed to follow the procedure as outlined under the relevant provisions of The Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 ('SARFAESI Act') including sections 13(2) and 13(4) of the Act.
3. We however do not find any specific averment to this effect in the Writ Affidavit. Moreover the petitioner has not provided any explanation as to why the petitioner has invoked the writ jurisdiction of this Court despite the existence of an efficacious alternative statutory remedy. None of the exceptions

MB,J& GPK,J
W.P.No.31901 of 2025

to this general rule of exhaustion of alternate remedy as held by the Supreme Court in several cases, which would entitle the petitioner to approach the High Court, are present in this case.

4. We accordingly find no reason to entertain the Writ Petition. W.P.No.31901 of 2025, along with all connected applications, is disposed of. Petitioner is given liberty to approach the appropriate statutory forum subject to the petitioner filing an application within 03.11.2025. There shall be no order as to costs.

SD/- A.H.S. GOWRI SHANKAR
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. One CC to SRI M.RATHAN SINGH, Advocate. [OPUC]
2. Two CD Copies.

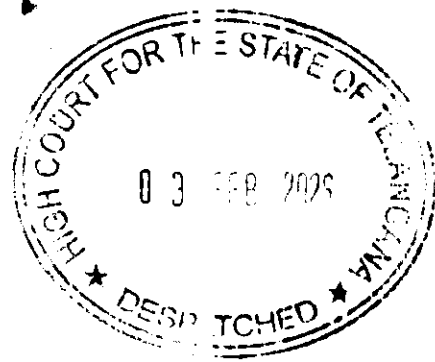
BSK

GJP

NT

HIGH COURT

DATED:25/10/2025



ORDER

WP.No.31901 of 2025

**DISPOSING OF THE WRIT PETITION
WITHOUT COSTS**

④

NT

23/1/26