



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

WRIT PETITION NO. 27905 OF 2024 (GM-DRT)

BETWEEN:

1. MRS. MARIYAMMA ABDUL KHADAR
W/O MR. ABDUL KHADAR
AGED ABOUT 38 YEARS
DOOR NO. 4-71/1,
KODAMAJALU HOUSE.
FARANGIPETE PUDU.
KODAMAJALU, BANTWAL,
DAKSHINA KANNADA- 574143
2. MR. ABDUL KHADAR,
S/O MR. IBRAHIM
AGED ABOUT 45 YEARS
DOOR NO 4-71/1,
KODAMAJALU HOUSE,
FARANGIPETE PUDU
KUMPNAMAJALU, BANTWAL,
DAKSHINA KANNADA-574143

...PETITIONERS

(BY SRI. RANJAN KUMAR K., ADVOCATE)

AND:

1. THE AUTHORIZED OFFICER
BANK OF MAHARASTRA





ADYAR BRANCH, MANGALURU
HAVING ITS ZONAL OFFICE AT
STELLER, 1ST FLOOR, NO 10 AND 11
VIDYA NAGAR,
HUBBALLI- DHARWARD MAIN ROAD
HUBBALLI 580021

...RESPONDENT

(BY SRI. PRAKASHA HEGDE K., ADVOCATE)

THIS W.P. IS FILED PRAYING TO QUASH THE NOTICE
ISSUED BY THE RESPONDENT BANK UNDER SEC 13(2) OF THE
ACT DATED 10.06.2024 BEARING NO.
AX83/SARFAESI/DEMAND NOTICE/36/24-25 (ANNX-A).QUASH
THE ORDER DATED 12.09.2024 IN CRL.MIS. 236/2024 PASSED
BY THE COURT OF THE PRINCIPAL SENIOR CIVIL JUDGE AND
JMFC MANGALURU PERMITTING THE RESPONDENT TO TAKE
PHYSICAL POSSESSION OF THE SCHEDULE (ANNX-B). QUASH
THE EVICTION NOTICE DATED. 04.10.2024 BEARING NO.
AX83/PAPER PUBLICATION BILL/2024-25 ISSUED BY
RESPONDENT, CALLING UPON THE PETITIONERS TO HAND
OVER POSSESSION OF THE SCHEDULE PROPERTY (ANNX-C).

THIS PETITION, COMING ON FOR ORDERS, THIS DAY,
ORDER WAS MADE THEREIN AS UNDER:



CORAM: HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

ORAL ORDER

The present writ petition is filed seeking the following prayer:

"It is most humbly prayed that this Hon'ble Court may be please to:

a) Issue writ of certiorari quashing the notice issued by the Respondent-bank under Sec 13(2) of the Act dated 10.06.2024 bearing No.AX83/SARFAESI/DEMAND NOTICE/36/24-25 (Annexure A),

b) Quash the order dated 12.9.2024 in Crl Mis.236/2024 passed by the Court of the Principal Senior Civil Judge and JMFC Mangaluru permitting the Respondent to take physical possession of the Schedule (Annexure B), and

c) Quash the eviction notice dated 04.10.2024 bearing No AX83/paper publication bill/2024-25 issued by Respondent, calling upon the Petitioners to hand over possession of the schedule property (Annexure -C)

d) Grant any other reliefs as this Hon'ble Court deems fit to grant in the circumstance of the case."

2. Learned counsel appearing for the respondent submits that the entire amount is cleared and the loan account is closed.



NC: 2026:KHC:11341
WP No. 27905 of 2024

3. Accordingly, the writ petition is ***dismissed as infructuous.***

i. All I.As. in this petition shall stand closed.

**SD/-
(LALITHA KANNEGANTI)
JUDGE**

RJ
List No.: 1 Sl No.: 11