APHC010549452026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)

THURSDAY, THE 15th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE BATTU DEVANAND

THE HONOURABLE SRI JUSTICE TUHIN KUMAR GEDELA

WRIT PETITION NO: 30046 OF 2026

Between:

1. TEJ INDUSTRIES, represented by its Proprietor, Pathipati Syam Vara Prasad Rao, aged about 56 years, having its office at Door No. 155/1, Vikas Engineering College Road, Nunna Village, Vijayawada Rural Mandal, NTR District, Andhra Pradesh - 521212.

2. Kandavalli Tejomai,, W/o P. Syam Vara Prasad Rao, aged about 53 years. Occupation Leaseholder, working at Door No. 155/1, Vikas Engineering College Road, Nunna Village, Vijayawada Rural Mandal, NTR District, Andhra Pradesh - 521212.

...Petitioners

AND

1. UNION OF INDIA, represented by its Secretary, Department of Financial Services, Ministry of Finance, Government of India, 3rd Floor, Jeevan Deep Building, Sansad Marg (Parliament Street), New Delhi, Delhi, Pin Code 110001

2. Reserve Bank of India, represented by its Governor, Central Office, Shahid Bhagat Singh Road, Fort, Mumbai, Maharashtra - 400001.

3. Reserve Bank of India, Represented by its Regional Director, Andhra Pradesh Regional Office, Stalin Central, D. No.27-37-158, M.G. Road, Governorpet, Vijayawada, Andhra Pradesh 520002.

4. The State of Andhra Pradesh, Represented by its Principal Secretary, Industries and Commerce Department, Secretariat Buildings, Velagapudi, Amaravati, Andhra Pradesh - 522237.

5. The Commissioner and Director of Industries, Government of Andhra Pradesh, Commissionerate of Industries, APIIC Towers, Mangalagiri, Andhra Pradesh - 522503.

6. State Bank of India, Represented by its Deputy General Manager(DGM), having jurisdiction over SME Eluru Branch, Branch Code 63644, Eluru, Andhra Pradesh - 534006.

7. State Bank of India, Represented by its Branch Manager, SME Eluru Branch, Branch Code 63644, Eluru, Andhra Pradesh - 534006.

8. The Branch Manager, State Bank of India, Ibrahimpatnam Branch Vijayawada, NTR District, Andhra Pradesh - 521456

9. State Bank of India, Home Loan Center-ll (RACPC-II) Rep by its Authorized Officer, Komara Sripathi S/o K.V.A. Subba Rao, D.No. 54-15-1/B, Yalamanchili Complex, Venkateswara Nagar, Vijayawada, NTR District, Andhra Pradesh - 520008

10. AP Central Power Distribution Company Limited, represented by its Superintending Engineer, Buckinghampeta, Vijayawada, NTR District, Andhra Pradesh - 520002.

11. AP Central Power Distribution Company Limited, Represented by its Assistant Engineer, Nunna Village, Vijayawada Rural Mandal, NTR District, Andhra Pradesh - 521212.

...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 toissue an appropriate Writ, Order or Direction, more particularly one in the nature of a Writ of Mandamus declaring the failure of the competent authorities of Respondent Nos. 6 to 9 to consider and communicate a decision on the Petitioners One-Time Settlement (OTS) representation dated 25.09.2026 relating to Loan Account No. 435155411662 and housing loan account Nos. 42390029271 and 42396765579, within a reasonable period, despite the huge losses suffered by the Petitioners on account of an Act of God, as arbitrary and contrary to the principles of fairness and the requirements of lawful consideration, to the extent established by the records and applicable law and consequently, directing Respondent Nos. 6 to 9 to consider and communicate their decision on the Petitioners OTS representation dated 25.09.2026, relating to the aforesaid loan accounts, within a reasonable period to be fixed by this Hon'ble Court, and to refrain from initiating or continuing any coercive recovery measures, including proceedings under the SARFAESI Act, against the Petitioners pending consideration and disposal of the said OTS representation, subject to such conditions as this Hon'ble Court may deem fit and proper

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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 direct Respondent Nos. 6 to 9 to consider and communicate their decision on the Petitioners' OTS representation dated 25.09.2026, relating to Loan Account No. 435155411662 and housing loan account Nos. 42390029271 and 42396765579 within a reasonable period to be fixed by this Hon'ble Court, and not to initiate or continue any coercive recovery measures or SARFAESI proceedings against the Petitioners pending disposal of the main writ petition

Counsel for the Petitioners: VALLURI HEMANTH MANIKANTA CHARY

Counsel for the Respondents: RAJA SURESH VANNEMREDDY

Counsel for the Respondents:GP FOR INDUSTRIES COMMERCE

The Court made the following order:

THE HON'BLE SRI JUSTICE BATTU DEVANAND

&

THE HON'BLE SRI JUSTICE TUHIN KUMAR GEDELA

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ORDER: *(Per Hon'ble Sri Justice Battu Devanand)*

Heard both sides.

2. The grievance of the petitioners is that on 30.04.2026 a serious fire accident occurred at the petitioners' industrial premises at Nunna Village, Vijayawada Rural Mandal and the said incident resulted in extensive damage to the industrial unit, machinery, raw materials and the stocks stored therein. The estimated loss has exceeded Rs.2,00,00,000/-. Under these circumstances, the petitioners could not repay the installments for the financial assistance availed from the State Bank of India. At that stage, the 9th respondent-bank issued notice under Section 13(2) of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short 'the S.A.R.F.A.E.S.I Act') on 09.07.2026 to the petitioners. Thereafter, the petitioners made representation to the 7th respondent-bank on 25.09.2026 requesting for One Time Settlement. The said representation is still pending. The apprehension of the petitioners is that without considering their O.T.S representation dated 25.09.2026, the bank authorities may

proceed against the petitioners. Under these circumstances, the petitioners approached this Court by filing this Writ Petition.

3. On the other hand, learned counsel appearing for respondents on instructions would submit that the O.T.S representation, dated 25.09.2026 is still pending before the bank authorities for consideration. He further submits that after considering the said O.T.S representation, decision will be communicated to the petitioners by following due process of law.

4. Having considered the facts and circumstances of the case, the relief sought by the petitioners in this Writ Petition is very limited to the extent of considering their O.T.S representation, dated 25.09.2026. As per the learned counsel for the respondents the said representation is under consideration.

5. In view of the same, in our considered view, it is appropriate and reasonable to dispose of this Writ Petition without going into the merits of the case with certain direction to the 7th respondent-bank to meet the ends of justice.

6. Accordingly, this Writ Petition is disposed of with the following directions:-

1) O.T.S representation, dated 25.09.2026 submitted by the petitioners shall be disposed of by the respondent bank authorities in

accordance with law, as expeditiously as possible, and communicate their decision to the petitioners under proper acknowledgement.

2) Till disposal of the O.T.S representation, dated 25.09.2026 submitted by the petitioners, Respondent Nos.6 to 9 are directed not to take any coercive steps against the petitioners.

7. There shall be no order as to costs.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

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JUSTICE BATTU DEVANAND

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JUSTICE TUHIN KUMAR GEDELA

Dated: 15.10.2026
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THE HONOURABLE SRI JUSTICE BATTU DEVANAND

&

THE HONOURABLE SRI JUSTICE TUHIN KUMAR GEDELA

WRIT PETITION No.30046 OF 2026

Dated: 15.10.2026
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