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

FRIDAY, THE EIGHTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE JUSTICE MOUSHUMI BHATTACHARYA
AND
THE HONOURABLE SMT JUSTICE RENUKA YARA

WRIT PETITION NO: 31100 OF 2026

Between:

Smt. Sali Nagendramma, W/o. Sri Prasad Rao, Aged about 47 years, Occ. Household, R/o. Flat No. 201, AVL's Ramya Residency, Beside Padmavathy Gardens, Main Road, Boduppal, Hyderabad - 500092, Telangana.

...PETITIONER

AND

1. The Chief Manager, State Bank of India, SME - Dilsukhnagar, Beside Papadam Blue Hotel, Kothapet, Dilsukhnagar, Hyderabad, Pin code - 500035.
2. Stressed Assets Recovery Branch (20945), H.No.1-8-563/1, 1st Floor, Opposite Sandhya Theatre, RTC X Road, Chikkadpally, Hyderabad - 500020.
3. The Tahsildar, Medipally Mandal, Medchal - Malkajgiri District - 500098.
4. The Union of India, Ministry of Finance, Rep. by its Secretary, New Delhi-110001.

...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 Mandamus, declaring the action of the Respondents in seeking to take possession of and/or bring to sale the Petitioner's property bearing Flat No. 201, Second Floor, Block-A, AVL's Ramya Residency, Beside Padmavathy Gardens, Main Road, Boduppal, Hyderabad - 500092, pursuant to the impugned Vacate Notice dated 07-08-2026 issued by Respondent No. 3, as illegal, arbitrary, without

jurisdiction, and violative of the principles of natural justice and of Articles 14, 19 and 21 of the Constitution of India, and consequently to set aside the same.

I.A. NO: 1 OF 2026

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 stay all further proceedings pursuant to the impugned Vacate Notice dated 07-08-2026 issued by Respondent No. 3, and restrain the Respondents, their officers, agents, and subordinates from taking possession of, dispossessing the Petitioner from, alienating, encumbering, or in any manner dealing with the property bearing Flat No. 201, Second Floor, Block-A, AVL's Ramya Residency, Beside Padmavathy Gardens, Main Road, Boduppal, Hyderabad ¬500092, pending disposal of the main Writ Petition.

Counsel for the Petitioner: SRI MODALI ESWARA PRASAD

Counsel for the Respondent No.3: GP FOR REVENUE

Counsel for the Respondent No.4: SRI N.BHUJANGA RAO,
DEPUTY SOLICITOR GENERIAL OF INDIA

The Court made the following: ORDER

HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

THE HON'BLE JUSTICE MOUSHUMI BHATTACHARYA
AND
THE HONOURABLE SMT JUSTICE RENUKA YARA

W.P.No.31100 of 2026

(CNR No.HBHC010639072026)

DATE: 18.09.2026

Between:

Smt. Sali Nagendramma

... Petitioner

And

The Chief Manager,
State Bank of India, and three others.

...Respondents

Mr. Eswara Prasad, learned counsel appearing for the petitioner.

ORDER: (Per Hon'ble Justice Moushumi Bhattacharya)

1. The present Writ Petition has been filed challenging the action of the respondents in attempting to take possession of and sell the petitioner's property pursuant to the impugned Vacate Notice dated 07.08.2026 issued by the respondent No.3/the Tahsildar, Medipally Mandal, Medchal-Malkajgiri District.

2. Learned counsel appearing for the petitioner is unable to explain as to why this Court should exercise its writ jurisdiction

under Article 226 of the Constitution of India in the present case, particularly when the petitioner has an alternative efficacious statutory remedy available under section 17(1) of The Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (the 'SARFAESI Act').

3. The only submission made by counsel appearing for the petitioner is that the impugned Vacate Notice was issued in breach of the principles of natural justice.

4. The impugned Vacate Notice dated 07.08.2026 clearly states that the said Notice was issued pursuant to the orders of the District Magistrate and Collector, Medchal-Malkajgiri District, and under the provisions of the SARFAESI Act.

5. The Writ Petition does not contain the Notices issued by the respondent No.1/State Bank of India under section 13(2) and 13(4) of the SARFAESI Act. The only enclosure is a Sale Deed dated 27.12.2021.

6. There is no instance shown as to the alleged breach of the principles of natural justice, nor is it demonstrated as to how the petitioner has suffered any prejudice as a consequence of such alleged breach. Further, none of the facts pleaded constitutes an

extraordinary circumstance or falls within any of the four exceptions warranting interference by the Writ Court, despite the availability of an efficacious alternative remedy: *Whirlpool Corporation v. Registrar of Trade Marks, Mumbai*[1].

7. Counsel seeks to rely on an order dated 06.08.2026 passed by this Court in W.P.No.2276 of 2026.

8. The Court is unable to understand as to how the order dated 06.08.2026 passed by this Court in W.P.No.2276 of 2026 would assist the petitioner or is in any way relevant to the present case. The very first paragraph of the said order dated 06.08.2026 makes it clear that the only prayer of the petitioner therein was for a direction to the respondent Nos.2 and 3 (landlords of the petitioner therein) to act upon the representation made by the petitioner to the respondent No.1/State Bank of India for sale of the petitioner's movable properties. The Court accordingly disposed of W.P.No.2276 of 2026 by directing the respondent Nos.2 and 3/landlords to open the locks of the petitioner's firm so that the petitioner can remove the movable properties in the presence of the landlords and a representative of the respondent No.1/Bank.

[1] (1998) 8 SCC 1

9. Hence, we do not find any reason to entertain the Writ Petition, let alone pass any order as prayed for.

10. As stated above, the petitioner has an efficacious remedy before the statutory forum for redressal of her grievance against the impugned Vacate Notice dated 07.08.2026. The petitioner is granted liberty to approach the statutory forum. The liberty is subject to the petitioner approaching the statutory forum by 12.10.2026.

11. W.P.No.31100 of 2026, along with all connected applications, is accordingly dismissed. There shall be no order as to costs.

SD/- OSMAN ALI BAIG
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. One CC to SRI MODALI ESWARA PRASAD, Advocate [OPUC]
2. One CC to SRI N.BHUJANGA RAO, DEPUTY SOLICITOR GENERIAL OF INDIA, High Court for the State of Telangana at Hyderabad [OPUC]
3. Two CCs to GP FOR REVENUE, High Court for the State of Telangana at Hyderabad [OUT]
4. Two CD Copies

BSR

MS

HIGH COURT

DATED: 18/09/2026



ORDER

WP.No.31100 of 2026

DISMISSING THE WRIT PETITION,

WITHOUT COSTS

MK
30/9/2026
4 Copies