

THE HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN
AND
THE HON'BLE SRI JUSTICE G. SHYAM PRASAD
WRIT PETITION Nos. 44906, 44914, 44916, 44926, 44951 and
44975 of 2016

COMMON ORDER: (*Per VRS,J*)

All these writ petitions challenge the orders of the Chief Judicial Magistrate passed under Section 14 of the SARFAESI Act, 2002.

2. Heard Mr. D. Raghavulu, learned counsel for the petitioners. Mr. M. Srikanth Reddy, learned standing counsel for State Bank of India, takes notice for the respondent.

3. The main ground, on which the petitioners challenge the impugned orders, is that under Section 14, it is only the Chief Metropolitan Magistrate or the District Collector who can pass orders, and that the Chief Judicial Magistrate is not competent to pass orders. But, a Full Bench of this Court has already held in *M/s. T.R. Jewellery and another Vs. M/s. State Bank of India and another*¹ that the Chief Judicial Magistrate in non-metropolitan areas is competent to pass orders under Section 14. Therefore, all the Writ

¹ AIR 2016 Hyderabad 125

Petitions are dismissed. All other issues may be raised by the petitioners before the Debts Recovery Tribunal.

Consequently, miscellaneous petitions if any pending in the writ petitions shall stand dismissed. No order as to costs.

V. RAMASUBRAMANIAN, J

G. SHYAM PRASAD, J

22nd December, 2016
cbs





THE HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN ✓
AND
THE HON'BLE SRI JUSTICE G. SHYAM PRASAD



W.P.Nos. 44906, 44914, 44916, 44926, 44951 and 44975 of 2016
(dismissed)

22nd December, 2016

cbs