

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.08.2020

CORAM

THE HON'BLE Mr. JUSTICE P.N. PRAKASH

Crl.R.C.No.701 of 2020

1.Jagadeesh Kumar,
S/o.Selvaraj.

2.Lenin Doss Rubi,
W/o.Jagadeesh Kumar.

... Petitioner

Vs.

HDFC Ltd.,
Housing Development Finance
Corporation Limited,
HDFC House,
No.29, Kamaraj Road,
Coimbatore - 641 018.
Represented by its Authorised Officer,
Mr.G.Senthil Kumar.

... Respondent

Criminal Revision filed under Section 397 r/w 401 Cr.P.C.
to set aside the order dated 04.07.2020 passed in
Crl.M.P.No.712 of 2019 on the file of the Chief Judicial
Magistrate Court, Salem.

For Petitioner : Mr.M.Subash

O R D E R

This case is taken up through video conferencing.

2. This criminal revision has been filed seeking to
set aside the order dated 04.07.2020 passed in Crl.M.P.No.712
of 2019 on the file of the Chief Judicial Magistrate Court,
Salem.

3. In the opinion of this Court, the Chief Judicial
Magistrate is a persona designata under the Recovery of Debts
Due to Banks and Financial Institutions Act, 1993 and
therefore, the order passed by him in exercise of the powers
conferred by the said Act, is not amenable to the revisional
jurisdiction of this Court under Section 397 Cr.P.C.

4. Hence, this criminal revision petition is dismissed with liberty to the petitioner to workout his remedies in the manner to known to law before the appropriate forum.

The Registry is directed to return the original impugned order to the learned counsel for the petitioner after taking a photocopy of the same, certifying it and keeping it in the file of this Court.

Sd/-

Assistant Registrar(Insp.Cell)

//True copy//

Sub Assistant Registrar

nsd

To

1.The Chief Judicial Magistrate,
Salem.

2. The Section Officer,
Criminal Section,
High Court, Madras.

Crl.R.C.No.701 of 2020

AJS(CO)

GMV(20/10/2020)

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