



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

[3545]

**TUESDAY, THE FIFTH DAY OF MAY
TWO THOUSAND AND TWENTY SIX**

PRESENT

THE HONOURABLE SRI JUSTICE BATTU DEVANAND

THE HONOURABLE SRI JUSTICE A. HARI HARANADHA SARMA

WRIT PETITION NO: 13128/2026

Between:

1. IKF FINANCE LTD., REP. BY ITS AUTHORIZED OFFICER, DESIBOYINA SRINIVASA RAO S/O. D. VENKATESWARA RAO, HINDU, AGED ABOUT 53 YEARS, O/O. D.NO.40-1- 144, M.G. ROAD, VIJAYAWADA.

...PETITIONER

AND

1. THE HONBLE CHIEF JUDICIAL MAGISTRATE CUM PRINCIPAL CIVIL JUDGE SENIOR DIVISION, at Chittoor, Chittoor, Andhra Pradesh. 517001.

...RESPONDENT

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 please to Issue an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus to) Declare that the posting of Crl. M.P No. 85/2026 to 17.07.2026 by the learned Chief Judicial Magistrate-cum-Principal Civil Judge (Senior Division) at Chittoor, without passing any order on the application filed under Section 14(1) of the SARFAESI Act, 2002, is illegal, arbitrary, and in violation of the mandatory statutory timeline prescribed under Section 14(1) read with the proviso thereto b) Consequently, direct the learned Respondent Court to pass appropriate orders in Crl. M.P No. 85/2026 within the statutory period of 30 days from the

date of receipt of this Hon'ble Court's order, strictly in accordance with Section 14(1) of the SARFAESI Act, 2002 Pass

IA 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 Direct the learned Chief Judicial Magistrate-cum-Principal Civil Judge (Senior Division) at Chittoor to disposed to Crl.Mp No. 85/2026 at the earliest possible date by and taken up he application filed under Section 14(1) of the SARFAESI Act, 2002 on an urgent basis, in view of the statutory time limit. Pass

Counsel for the Petitioner:

1. TAGORE YADAV YARAGORLA

Counsel for the Respondent:

1.

The Court made the following:

THE HON'BLE SRI JUSTICE BATTU DEVANAND
AND
THE HONOURABLE SRI JUSTICE A. HARI HARANADHA SARMA

WRIT PETITION No.13128 of 2026

ORDER: *(Per Hon'ble Sri Justice A. Hari Haranadha Sarma)*

The present Writ Petition is filed seeking early consideration and disposal of the Criminal Miscellaneous Petition No.85 of 2026 on the file of learned Chief Judicial Magistrate-cum-Principal Civil Judge (Senior Division) at Chittoor, in terms of Section 14(1) of the SARFAESI Act, 2002 stating that the application is filed on 31.03.2026 and it was directly posted to 17.07.2026 whereby interest of the petitioner Financial Institution will get seriously prejudice, therefore, early hearing is necessary. No order is passed which is not in accordance with Section 14 (1) of the SARFAESI Act, 2002, which contemplates 30 days' time for considering the application.

2. Upon considering the prayer and the material enclosed, since request is only for early consideration of Crl.M.P.No.85 of 2026, the Writ Petition is disposed of, at the admission stage, requesting the learned Chief Judicial Magistrate-cum-Principal Civil Judge (Senior Division) at Chittoor, to consider the application at an early date as per law preferably within a period of four (4) weeks. No order as to costs.

Consequently, miscellaneous applications, pending if any, shall stand closed.

JUSTICE BATTU DEVANAND

JUSTICE A. HARI HARANADHA SARMA

Date: 05.05.2026

sj

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THE HON'BLE SRI JUSTICE BATTU DEVANAND

AND

THE HONOURABLE SRI JUSTICE A. HARI HARANADHA SARMA

WRIT PETITION No.13128 of 2026

Date: 05.05.2026

sj