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W.P.No.38333 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 23.07.2026

CORAM

**THE HONOURABLE DR JUSTICE G. JAYACHANDRAN
AND
THE HONOURABLE Mrs. JUSTICE N. MALA**

Writ Petition No.38333 of 2024
and
W.M.P.Nos.41511 and 41512 of 2024

1.G.Mani,
S/o Govindasamy

2.Tmt.Pushpa,
W/o G.Mani

3.M.Manoj Kumar,
S/o G.Mani

4.M.Rekha
D/o G.Mani

5.M.Hari Krishnan,
S/o G.Mani
All resididng at:
No.1/56B, Pillayar Koil Street,
Annangudi Village, Katpadi Taluk,
Vellore District.

..Petitioners

/versus/



W.P.No.38333 of 2024

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1.National Consumer Disputes Redressal Commission,

By its Registrar,

Upbhokta Nyay Bhawan,

“F” Block, GPO Complex,

INA,New Delhi 110 023.

2.State Consumer Disputes Redressal Commission,

By its Registrar,

V.O.C.Nagar, George Town,

Chennai 600 003.

3.The Central Bank of India,

Represented by its Chairman and Managing Director,

ChanderMukhi, Nariman Point,

Mumbai 400 021.

4.The Branch Manager,

Central Bank of India,

Latteri Branch,

Vellore, Vellore District.

5.The Regional Manager,

The Central Bank of India,

No.48/49, Monteith Road,

Egmore, Chennai 600 068.

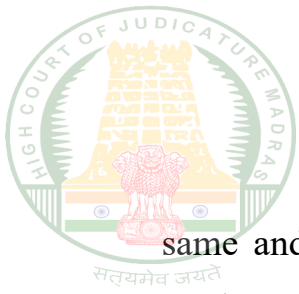
6.The Banking Ombudsman,

C/o Reserve Bank of India,

Port Glasies, Chennai 600 001.

..Respondents

Writ Petition has been filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus calling for the entire records connected with the order of the 1st respondent made in I.A.No.9370 of 2024, dated 19.09.2024 in F.A.No.467 of 2024, dated 19.09.2024 and the order in C.C.No.41 of 2018 dated 28.02.2022 of the 2nd respondent and quash the



W.P.No.38333 of 2024

same and consequently, direct the 2nd respondent to dispose of the matter on merit according to law within a time frame fixed by this Hon'ble Court.

For Petitioner :Mr.D.Percivul Pericles

For Respondents :No appearance for R1 and R2
Mr.M.L.Ganesh, for R3 to R5
Mr.KalyanaRaman for R6

ORDER

(Order of the Court was made by Dr.G.Jayachandran, J.)

This Writ Petition is filed challenging the order passed by the National Consumer Disputes Redressal Commission in I.A.No.9370 of 2024 in F.A.No.467 of 2024, dated 19.09.2024.

2.The writ petitioner has filed a consumer complaint in C.C.No.41 of 2018, on the file of the State Consumer Disputes Redressal Commission at Chennai and the same was dismissed for non-prosecution on 28.02.2022. Thereafter, after the delay of 543 days, he had filed an appeal before the National Consumer Disputes Redressal Commission, New Delhi, in F.A.No.467 of 2024 along with I.A.No.9370/2024 and I.A.No.9371/2024. The National Consumer Disputes Redressal Commission, New Delhi, after considering the



W.P.No.38333 of 2024

reasons stated in the affidavit for condonation of delay and a catena of judgments rendered by the Courts, has finally dismissed the condone delay application, vide, order dated 19.09.2024. The said order was challenged in this writ petition, which was filed on 26.11.2024.

3. When the matter was taken up for consideration, after notice, on 25.03.2025, the matter was posted under the caption “for dismissal”. Subsequently, when the matter was taken up for consideration, there was a request on the part of the petitioner and hence, adjourned for several days. After frequent adjournments and the representation that there is a change of counsel, the writ petition is finally posted on 16.06.2025.

4. This Court dismissed the writ petition for non-prosecution recording the reasons as under:-

“ORDER

The learned counsel for the petitioners would state that the petitioners had obtained change of Vakalat from him and therefore, prayed for removing his name as the counsel for the petitioners. Therefore, the Registry was directed to print the name of the petitioners in the cause list.

2.Today, the name of the petitioners are printed in the cause list. The petitioners did not appear either in person



WEB COPY



W.P.No.38333 of 2024

or through counsel. Therefore, this Court has no other option except to dismiss the writ petition for non-prosecution. Accordingly, the Writ Petition is dismissed for non-prosecution. No costs. Consequently, connected miscellaneous petitions are closed.”

5. The petitioner, thereafter, filed an application for restoration in W.M.P.No.29136 of 2025 and the same was allowed by this Court on 08.04.2026 and the writ petition was restored with costs of Rs.2,000/- payable to the Tamil Nadu State Legal Services Authority.

6. Soon thereafter, the learned counsel appearing for the petitioner, vide letter dated 30.06.2026, addressed the Registrar (Judicial), High Court, Madras, requesting to list the writ petition for hearing. The letter of the learned counsel, M/s Colonel & Ganesan Associates, reads as below:-

“1. I respectfully submit that this Hon’ble Court, by order dated 08.04.2026 in W.M.P.no.29136 of 2025 in W.P.No.38333 of 2024, was pleased to allow the restoration petition on payment of costs and directed that upon production of the receipt for payment of costs, the writ petition shall be restored to file and listed in the usual course. 2.Pursuant to the said order, the petitioner has duly complied with the directions of this Hon’ble Court by remitting the costs as directed and produced the proof of payment before



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W.P.No.38333 of 2024

this Hon'ble Court.

3.However, despite such compliance and the restoration of the writ petition, the matter has not yet been listed for hearing. The petitioner is suffering prejudice on account of the continued delay in listing the case.

4.It is therefore most respectfully requested that the Registry may kindly take necessary steps to list W.P.No.38333 of 2024 before the appropriate Bench at the earliest, in accordance with the order dated 08.04.2026, so that the matter may be heard and disposed of on merits.

5.An early and favourable action is kindly solicited.”

7. Today, when the matter is taken up for consideration, learned counsel represents his inability to conduct the case and seeks adjournments. We find no reason to adjourn the matter any further. The matter was already dismissed for non-prosecution and was later restored. Despite providing sufficient time and considering the letter, the matter was listed today for disposal, but the petitioner is not ready to conduct the case.

8. The sum and substance of the writ petition is that, it challenges the order passed by the National Consumer Disputes Redressal Commission, New Delhi, dismissing the interlocutory application filed to condone the delay of 543



W.P.No.38333 of 2024

days. The National Consumer Disputes Redressal Commission, New Delhi, has gone through the facts and reasons stated in the affidavit filed in support of the petition and found that there is no reason to condone the delay. We have no second opinion about the same. Hence, this Court is not inclined to entertain the challenge to the order passed by the National Consumer Disputes Redressal Commission, New Delhi.

9. For the said reason also, we find that further adjournments of this case are not required. Hence, this writ petition stands dismissed. No costs. Consequently, connected Miscellaneous Petitions are closed.

(Dr. G.JAYACHANDRAN, J.) (N. MALA, J.)
23.07.2026

Index :Yes/No.
Neutral Citation :Yes/No.
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To,

1.The Registrar,
National Consumer Disputes Redressal Commission,
Upbhokta Nyay Bhawan,
“F” Block, GPO Complex,
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W.P.No.38333 of 2024

WEB COPY

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