

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 2ND DAY OF DECEMBER 2015/11TH AGRAHAYANA, 1937

WP(C) .No. 33319 of 2015 ()

PETITIONER(S) :

MERCY BISSY JOSEPH AGED 41 YEARS
D/O.T.J JOSEPH, THUNDIPARAMBIL HOUSE, OCHANTHURUTHU PO
ERNAKULAM DISTRICT, PIN 682508

BY ADVS.SRI.JAIBY PAUL
SMT.ANITA GLENDA PHILIP

RESPONDENT(S) :

1. THE KERALA STATE CONSUMER DISPUTES REDRESSAL COMMISSION,
THIRUVANANTHAPURAM - 695 001.

2. K.U. ALOYSIUS
S/O.LATE JOHN ALIAS ULLAHANNAN, MANAGING DIRECTOR
M/S. ABJ PROPERTIES PVT. LTD, 29/983 B, BANK ROAD
VYTTILA, COCHIN 19, NOW RESIDING AT VGN PLAMLIUS
AMBICA NAGAR, AYYAPPANKAVU, AMBATTUR
CHENNAI, PIN 600 077

R2 BY ADV. SRI.GIGIMON ISSAC

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
02-12-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S) ' EXHIBITS

EXT.P1: TRUE COPY OF THE COMPLAIN FILED BY THE PETITIONER BEFORE
THE CONSUMER DISPUTES REDRESSAL COMMISSION, ERNAKULAM
DATED 18.10.2010

EXT.P2: TRUE COPY OF THE INTERM ORDER IN IA.NO.556/2010 IN
CC.NO.556/2010 DATED 19.10.2010 THE CONSUMER DISPUTES
REDRESSAL COMMISSION, ERNAKULAM

EXT.P3: TRUE COPY OF THE ORDER DATED 31.05.2012 IN CC.NO.556/2010
OF THE CONSUMER DISPUTES REDRESSAL COMMISSION, ERNAKULAM

EXT.P4: TRUE COPY OF THE ORDER DATED 30.07.2015 IN APPEAL
NO.692/2012 OF THE 2ND RESPONDENT

RESPONDENT(S) ' EXHIBITS NIL

//TRUE COPY//

P.A TO JUDGE

vdv

A.MUHAMED MUSTAQUE, J.

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W.P(C)No.33319 of 2015

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Dated this the 2nd day of December, 2015

JUDGMENT

Petitioner approaches this Court aggrieved by an order passed by the Kerala State Consumer Disputes Redressal Commission.

2. It is the 2nd respondent herein aggrieved by order passed by the Consumer Disputes Redressal Forum in a complaint filed by the petitioner has approached the Commission. Commission passed an order on merits. The Hon'ble Supreme Court has held that High Court shall not entertain challenge against orders passed by the same Consumer Disputes Redressal Forum or Commission. In view of the judgment as above, this writ petition is dismissed with liberty to approach the National Commission challenging the impugned order. The petitioner is free to bring to the notice of the Hon'ble National Commission regarding the period involved before this Court from 29.10.2015 to 02.12.2015 for excluding any period of limitation applicable.

Sd/-

A.MUHAMED MUSTAQUE,
JUDGE