

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.04.2015

CORAM:

THE HONOURABLE MR. SANJAY KISHAN KAUL, CHIEF JUSTICE
AND

THE HONOURABLE MR. JUSTICE T.S.SIVAGNANAM

Writ Petition No.11720 of 2015

R. Muthukrishnan

...Petitioner in Person

vs.

1. State of Tamilnadu
rep. by The Secretary in the Department of Food,
Civil Supplies & Consumer Protection
Secretariat, Chennai-9.
2. The President
State Consumer Disputes Redressal Commission
Frazer Bridge Road, V.O.C. Nagar
Park Town, Chennai - 600003.
3. The Registrar and PIO (Public Information Officer)
State Consumer Disputes Redressal Commission
Frazer Bridge Road, V.O.C. Nagar
Park Town, Chennai - 600003.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, calling for and quashing the impugned orders as contained in Lr.Rc.No.J1/470/2015, dated 27.2.2015; and in Lr.Rc.No.J1/891/2015, dated 23.3.2015 of Tamilnadu State Consumer Disputes Redressal Commission.

For Petitioner : Mr. R. Muthukrishnan
Party-in-person

For Respondents : Mr. S.T.S. Murthi
Govt. Pleader.

O R D E R
(Made by The Hon'ble The Chief Justice)

The so-called public interest litigation has been filed seeking to raise the issue of the Registrar of the State Consumer Dispute Redressal Commission exercising judicial powers, though his domain requires him to exercise only administrative powers. The second limb of the attack is on the Registrar holding the Office from 11.00 a.m. onwards instead of 10.30 a.m., which is the functioning period for the Court.

2. We have heard the petitioner in person, who after retirement has become an Advocate.

3. It appears that the petitioner is under misconception qua the first aspect. The petitioner refers to the list of the Registrar to say that he is listing the matters for "hearing". Though he is not able to produce any document, he concedes that it is not the Registrar who is deciding any matter, but only directing completion of pleadings. What he submits is that the Registrar is duty bound to immediately place the matters before the judicial forum on completion of pleadings, while he actually spreads them over under the oral directions of the Presiding Judge.

3. We find nothing erroneous with the same, as it is not possible for a Court to take up unlimited matters in a day. That apart, a court management technique in fact requires to post as many matters as can be decided. Where the cases are large and pendency is huge, naturally the matters would have to be spread over to be decided by the Presiding Judge. Thus, in pursuance of the instructions, the Registrar is really carrying out a mechanism for posting all the cases.

4. As far as the second aspect is concerned, it is not an uncommon practice for the Ministerial Officer to start administrative proceedings half an hour after the Court proceedings commence. That has all happened in the present case, as envisaged by the Presiding Judge.

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5. We, thus, find no reason to exercise jurisdiction in the public interest litigation. The writ petition accordingly stands dismissed. No costs.

Sd/-
Assistant Registrar (CS-II)

//True Copy//

Sub Assistant Registrar

Copies to;

1. The Secretary in the Department of Food,
Civil Supplies & Consumer Protection
State of Tamilnadu
Secretariat, Chennai-9.
2. The President
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1 CC to Mr. R. Muthukrishnan, Advocate SR.No. 21902

1 CC to the Government Pleader, SR.No. 21964

W.P. No. 11720 of 2015

UG (CO)
PSI (04.05.2015)

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