

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF
ANDHRA PRADESH**

* * * *

WRIT PETITION No.25373 of 2015

Between:

T.Zubin David and another

.. Petitioners

And

Telangana State Consumer
Disputes Redressal Commission,
Eruvaka Building, Khairatabad,
Hyderabad
and others.

.. Respondents

DATE OF JUDGMENT PRONOUNCED: 12-08-2015

SUBMITTED FOR APPROVAL:

**HON'BLE SRI JUSTICE R.SUBHASH REDDY
AND
HON'BLE SRI JUSTICE A.SHANKAR NARAYANA**

1. Whether Reporters of Local newspapers

Yes/No

may be allowed to see the Judgment?

2. Whether the copies of judgment may be

Yes/No

marked to Law Reporters/Journals

3. Whether Their Lordship wish to
see the fair copy of the Judgment?
Yes/No

**HON'BLE SRI JUSTICE R.SUBHASH REDDY
AND
HON'BLE SRI JUSTICE A.SHANKAR NARAYANA**

WRIT PETITION No.25373 of 2015

ORDER : *(Per Hon'ble Sri Justice R.Subhash Reddy)*

This writ petition is filed seeking a direction by way of Mandamus to declare the inaction on the part of respondent No.1 in processing PP.SR.No.6112 of 2014 in C.C.No.76 of 2013, as illegal and arbitrary.

Petitioners are the complainants in the aforesaid C.C filed before the erstwhile A.P.State Consumer Disputes Redressal Commission, Hyderabad. The Commission, by order dated 15.09.2014, allowed the C.C filed by the petitioners directing opposite party No.2 to refund an amount of Rs.16,71,640/- with interest at 9% p.a. along with costs of Rs.5,000/-. To enforce the said order, the petitioners have filed miscellaneous petition, numbered as PP.SR.No.6112 of 2014, on 11.11.2014, but the same is pending before the Commission.

In this writ petition, it is the grievance of the petitioners

that though they have filed miscellaneous petition as early as on 11.11.2014, the same is not being processed without any reason.

Learned counsel for the petitioners submitted that presently there is no Chairman for the 1st respondent-Telangana State Consumer Disputes Redressal Commission. On the other hand, it is submitted by learned Government Pleader that steps are being taken for appointment of the Chairman and, at the earliest possible time, the said post will be filled up.

As admittedly there is no Presiding Officer to the 1st respondent Commission, no direction as sought for can be issued at this stage. However, we deem it appropriate to dispose of the writ petition with an observation that as and when Commission is constituted, the miscellaneous application in PP.SR.No.6112 of 2014 in C.C.No.76 of 2013 filed by the petitioners will be taken up on priority basis, having regard to the fact that the petitioners have obtained orders in the said C.C as early as on 15.09.2014 and the same is not yet implemented. We also grant liberty to the petitioners to move appropriate application before the 1st respondent Commission to take up the proceedings in the said PP.SR as early as possible.

Subject to the above observations, the writ petition is disposed of. No order as to costs.

As a sequel, pending miscellaneous petitions, if any,
shall stand closed.

JUSTICE R. SUBHASH REDDY

JUSTICE A.SHANKAR NARAYANA

12.08.2015
v v