



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 22.03.2016**

CORAM:

WEB COPY

**THE HONOURABLE MS.JUSTICE V.M.VELUMANI
C.R.P(MD)No.618 of 2016 (PD)**

1.Rajkumar
2.Mrs.R.Ananthajothi
3.Mrs.Santha

.. Petitioners

Vs.

The Repco Homes Finance Ltd.,
Having Regd. Office No.33,
North Usman Road,
T.Nagar, Chennai
Through its Branch Manager,
Dindigul.

.. Respondent

PRAYER: Civil Revision Petition is filed, under Article 227 of Constitution of India, to set aside the order, dated 27.11.2015 passed by the Hon'ble District Consumer Forum Dindigul in the un-numbered complaint in S.R.No.37/2015 and further direct the District Consumer Forum Dindigul to take the complaint on file and proceed further in accordance with law.

For Petitioners : Mr.H.Lakshmi Shankar

ORDER

This Civil Revision Petition has been filed by the petitioners to set aside the order, dated 27.11.2015 passed by the District Consumer Forum Dindigul in the un-numbered complaint in S.R.No.37/2015 and further direct the District Consumer Forum Dindigul to take the complaint on file and proceed further in accordance with law.

2.The petitioners filed complaint in C.C.SR.No.37 of 2015 before the District Consumer Forum, Dindigul. The said complaint was returned on the ground that the respondent/opposite party carrying on business at T.Nagar, Chennai and from whom the complainant availed loan, which is not arrayed as party in this complaint. Against the said return, the petitioners have filed the present Civil Revision Petition.

3.The learned counsel for the petitioners submitted that in the cause title, the petitioners have categorically stated that the opposite party through Branch Manager, Dindigul. The learned counsel for the petitioner also brought to the notice of this Court that averments made in the complaint to the effect that loan was availed at Dindigul Branch. Therefore, the District Consumer



Forum, Dindigul erred in returning the complaint on the ground of lack of jurisdiction.

4. In view of the averments made in the complaint that cause of action has arisen at Dindigul and averments made in the complaint that loan availed at Dindigul Branch, the petitioner is directed to implead the Branch Manager, Repco Homes Finance Ltd., Dindigul as second opposite party and re-present the same within a period of two weeks from the date of receipt of a copy of this order. On such re-presentation, the District Consumer Forum, Dindigul is directed to number the complaint if it is otherwise in order and hear the matter on merits and pass orders in accordance with law.

5. In the result, the Civil Revision Petition is disposed of. No costs. The Registry is directed to return the original papers to the learned counsel for the petitioner.

Sd/
Assistant Registrar (AE)

/True Copy/

Sub Assistant Registrar

To

1. The District Consumer Forum,
Dindigul.

2. The Section Officer, E R Section,
Madurai Bench of Madras High Court, Madurai.

+1CC to H.Lakshmi Shankar, Advocate in Sr.No.16191

CN/AN-MP/4.04.2016/2P-4C

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