

HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY
AND
HON'BLE SRI JUSTICE M.S.K.JAI SWAL

WRIT PETITION No. 38910 OF 2016

Date: 11.11.2016

Between:

Equitas Finance Private Limited,
Rep. by its Area Legal Manager,
Chennai.

..... Petitioner

And:

The District Consumer Forum,
Mehabubnagar, and another.

.....Respondents

Counsel for the Petitioner: Mr. Salvaji Raja Shekar Rao

Counsel for Respondent No.1:

Counsel for Respondent No.2:



The Court made the following:

ORDER (Per the Hon'ble Sri Justice C.V.Nagarjuna Reddy)

This writ petition is filed under Article 226 of the Constitution of India for declaring the inaction of the District Consumer Forum, Mahabubnagar – respondent No.1 in disposing of C.C.No.70 of 2014, as arbitrary and illegal. A consequential direction is sought to respondent No.1 to dispose of the said case.

Respondent No.1 is a Forum constituted under the Consumer Protection Act, 1986. Assuming that respondent No.1 is a Tribunal within the meaning of Article 227 of the Constitution of India, the petitioner can only maintain a petition under Article 227 of the Constitution of India and it cannot invoke the jurisdiction of this Court under Article 226 of the Constitution of India.

In this view of the matter, the Writ Petition is dismissed as not maintainable, however, with liberty to the petitioner to avail appropriate remedy.

As a sequel, W.P.M.P.No.47953 of 2016 stands disposed of as infructuous.

C.V.NAGARJUNA REDDY, J

M.S.K.JAI SWAL, J

Date: 11.11.2016
va