



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :16.02.2017

CORAM:

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THE HONOURABLE MR.JUSTICE M.S.RAMESH

**W.P. (MD) No.2201 of 2011 &
M.P. (MD) .No.2 of 2011**

- 1) D.Suresh
Inspector of Police,
North Police Station,
Dindigul Town,
Dindigul District.
2. S.Jeyasil,
Inspector of Police,
District Crime Record Bureau,
Tirunelveli District.
3. M.Chandrapaul,
Deputy Superintendent of Police,
'Q' Branch C.I.D.,
Tirunelveli Range,
Tirunelveli.

... Petitioners

vs.

1. The President
District Consumer
Dispute Redressal Forum,
No.55, Old No.36/1, 1st Floor,
President Sivathanu Road,
South of S.L.B.Hr.Sec.School,
Nagercoil,
Kanyakumari District.

2. D.Xavier Jaya Sathish

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying Writ of Prohibition prohibiting the 1st respondent from proceeding with the C.C.No.60/2010 on the file of the District Consumer Dispute Redressal Forum, Kanyakumari District as the 1st respondent lacks jurisdiction.

For Petitioners
For Respondents

:Mr.A.Robinson
:Mr.TR.Janarthanam for R1
Additional Government Pleader
No appearance for R2

**O R D E R**

The second respondent had filed complaint in C.C.No.60 of 2010 before the first respondent, District Consumer Forum. Challenging the said proceedings before the Consumer Forum, the present writ petition has been filed.

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2. The complaint made by the second respondent is against three police officials under the Government of Tamilnadu. The gist of the complaint is that the said officials, who are arrayed as opposite parties 2 to 4 in the complaint, had created misfeasance thereby causing mental agony to the second respondent.

3. In my view, the proceedings before the consumer forum is not maintainable in law. The object of the Consumer Protection Act is to cover the services offered or rendered for a consideration. Officials of the police department are not service provider and that the complainant is not a consumer. In view of the same, the complaint before the first respondent, Consumer Forum, is not maintainable.

4. Accordingly, the writ petition stands allowed, by issuing writ of prohibition prohibiting the first respondent, the District Consumer Dispute Redressal Forum, Nagercoil, Kanyakumari District, from proceeding with the C.C.No.60 of 2010. No costs. Connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (P&A)

/True copy/

Sub Assistant Registrar

To

1.The President
District Consumer
Dispute Redressal Forum,
No.55, Old No.36/1, 1st Floor,
President Sivathanu Road,
South of S.L.B.Hr.Sec.School,
Nagercoil,
Kanyakumari District.

+1 CC to M/s.C.EMALIAS, Advocate, SR No. 8768

JIKR

PSM/SV-MMS/23.02.2017/2P/3C