

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.04.2018

CORAM:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

CRP.P.D.No.1302 of 2018

and

CMP.No.6750 of 2018

P.Manimekalai

.. Petitioner

Vs

S.Aadarsh Surana

.. Respondent

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India to set aside the docket order dated 14.11.2017 made in CMP.No.443/2017 in FASR No.102/2016 in C.C.No.89/2013 passed by the State Consumer Disputes Redressal Commission, Chennai.

For Petitioner : Mr.P.Ayyamperumal

ORDER

This Civil Revision Petition is filed to set aside the docket order dated 14.11.2017 passed in CMP.No.443/2017 in FASR No.102/2016 in C.C.No.89/2013 on the file of State Consumer Disputes Redressal Commission, Chennai.

2. The complainant in CMP.No.443/2017 in FASR No.102/2016 on the file of the State Consumer Disputes Redressal Commission, Chennai, is the respondent herein.

3. According to the learned counsel for the petitioner, the petitioner filed a case in C.C.No.89 of 2013 before the District Consumer Disputes Redressal Forum , Chengalpattu (hereinafter called as District Forum) seeking refund of a sum of Rs.2,50,000/- and the same was partly allowed by the District Consumer Forum. Thereafter, the petitioner has filed an appeal in F.A.No.29 of 2016 before the State Consumer Disputes Redressal Commission, Chennai (hereinafter called as State Commission) to set aside the decision relating to the deduction of Rs.10,000/- towards administration charges from the deposit of Rs.2,50,000/- made by the petitioner and the same was dismissed as withdrawn by the petitioner. Subsequently, the petitioner has filed an Execution Petition in E.P.No.11 of 2017 and the same is pending. In the meanwhile, the respondent has filed an appeal against the order of District Forum before the State Commission on 02.02.2016. The State Commission returned the appeal and the respondent herein represented the appeal by filing an application to condone the delay of 545 days in representing the appeal on 21.08.2017. The State Commission has allowed the petition with cost of Rs.1,000/- to the petitioner herein. Aggrieved by the said order, the petitioner has filed the present civil revision before this Court.

4. Since the State Commission is not a Subordinate Court to the High Court for the purpose of invoking Articles 227 of the Constitution and no

revision will lie against any order passed by the State Commission under Article 227 of the Constitution.

5. In view of the above, this civil revision petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed with liberty to the petitioner to move the appropriate Court for the above said relief.

19.04.2018

Index : yes/No
Internet : yes/No
Speaking : Non Speaking Order
kkd



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P.VELMURUGAN,J.

kkd

To

The State Consumer Disputes Redressal Commission,
Chennai.



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