

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-12-2018

CORAM

THE HON'BLE Mr. JUSTICE S.M.SUBRAMANIAM

W.P.No.31978 of 2005

1.S.Shanmuga Mudaliar
2.S.Kalavathy

...Petitioners

Vs

1.The Senior Divisional Manager,
L.I.C. of India,
Vellore Division,
Vellore.

2.The Zonal Manager,
L.I.C. of India,
Southern Zonal Office,
Madras-2.

3.The State Consumer Disputes
Redressal Commission,
Represented by its Registrar,
Chennai-4.

4.District Consumer Disputes Redressal Forum,
Vellore.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records of the third respondent in AP No.330 of 1999 dated 27.2.2004 confirming the order of the fourth respondent in O.P.No.103 of 1996 dated 24.3.1999 and quash the same and further issue direction to the respondents 1 and 2 pay the claim under two policies namely Policy No.730480457 and Policy No.71119762.

For Petitioners : Mr.H.Nazirudeen

For Respondent-1 : Ms.Usha Raman

For Respondent-2 : No Appearance

For Respondent-3 : State Consumer Forum

For Respondent-4 : District Consumer Forum

O R D E R

The order passed by the State Consumer Redressal Commission, Chennai, on 27.2.2004 in A.P.No.330 of 1999, is under challenge in the present writ petition.

2. The Consumer Protection Act, provides an appeal against the order passed by the State of Consumer Commission. The order passed by the State Consumer Commission in A.P.No.330 of 1999 is to be challenged before the National Consumer Commission constituted under the provisions of the Consumer Protection Act, 1986.

3. Instead of filing the appeal before the Competent Forum, the writ petitioners have filed the present writ petition under Article 226 of the Constitution of India, which is not maintainable.

4. When the National Consumer Commission is very much functioning, this Court is of the opinion that the present writ petition cannot be entertained and accordingly, the writ petitioners are at liberty to approach the Competent Forum for the purpose of redressing their grievances.

5. Thus, the writ petition stands dismissed as not maintainable. However, there shall be no order as to costs.

-s/d-

Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

Svn
To

1.The Senior Divisional Manager,
L.I.C. of India,
Vellore Division,
Vellore.

2.The Zonal Manager,
L.I.C. of India,
Southern Zonal Office,
Madras-2.

WEB COPY

3.The Registrar,
State Consumer Disputes Redressal Commission,
Chennai-4.

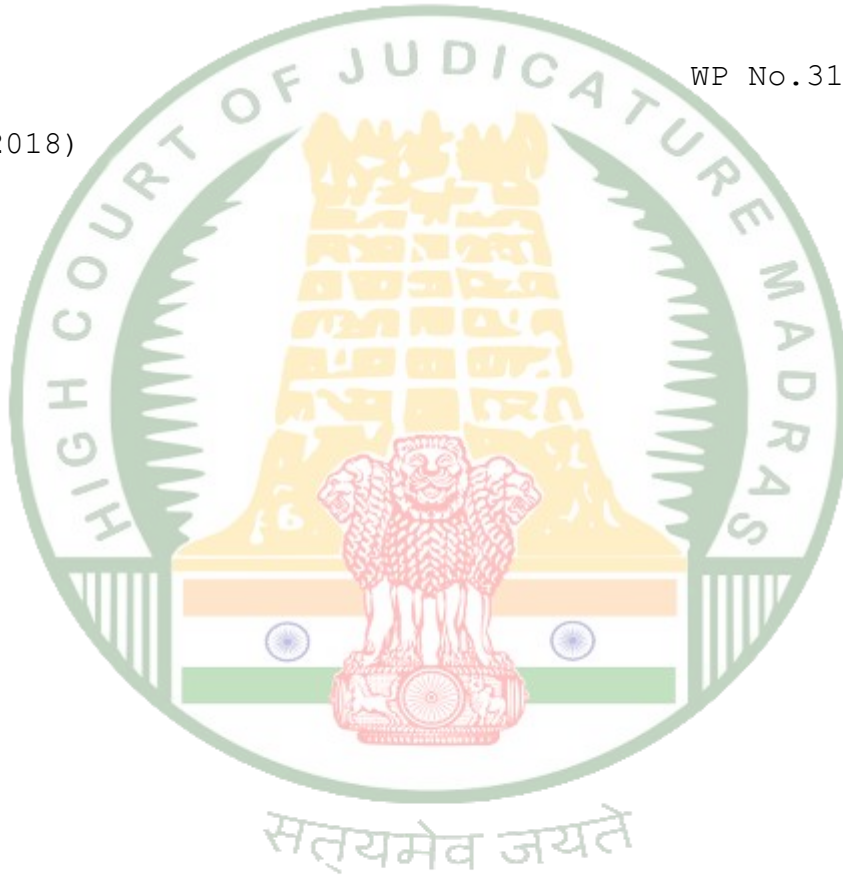
4.District Consumer Disputes Redressal Forum,
Vellore.

+1 CC to Mr.H.Nazirudeen, Advocate sr 88151.

+1 CC to Mrs. Usharaman, Advocate sr 87798.

WP No.31978 of 2005

SP(31/12/2018)



WEB COPY