



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.03.2020

CORAM:

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

CRP(MD)No.2181 of 2019

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R.Dharamakani

.. Petitioner/Petitioner/Complainant

Vs.

1.The Manager,
Shriram Transport Finance Co. Ltd.,
Ganesh Thanganagai Maligai,
2nd floor,
Main Road, Pavoorchatram - 627 808,
Tirunelveli District.

2.The Senior Manager,
Shriram Transport Finance Co. Ltd.,
25, MPM Building, 2nd floor,
SN High Road,
Thirunelveli Junction,
Shripuram, Thirunelveli - 627 001.

3.The General Manager,
Shriram Transport Finance Co. Ltd.,
4, Mookambigai Complex, 3rd floor,
Lady Desikachary Road,
near CB Ramasamy Road,
Alwarpet Signal,
Mylapore, Chennai - 600 004.

4.The Managing Director,
Shriram Transport Finance Co. Ltd.,,
101/105, 1st floor, B Wing, Shri Chambers,
Sector 11 C.B.D, Belapur,
Navi Mumbai - 400 614.

... Respondents/Respondents/Opposite Parties

Civil Revision Petition filed under Article 227 of the Constitution of India to set aside the Return Endorsement of the learned District Consumer Disputes Redressal Forum, Tirunelveli in unnumbered IA dated 20.08.2019 in Unnumbered Application SR.No.858 in CC No.141 of 2018 on the file of the learned District Consumer Disputes Redressal Forum, Tirunelveli.

For Petitioner	: Mr.R.Aravindraj
For Respondents	: Mr.Ananth C.Rajesh



ORDER

The petitioner filed a complaint before the District Consumer Disputes Redressal Forum, Tirunelveli in C.C.No.141 of 2018 and that complaint was dismissed. Subsequently, the petitioner filed a restoration application to restore the dismissal order passed by the District Consumer Disputes Redressal Forum. The District Forum returned the papers stating that the petition is not maintainable. The petitioner has represented the petition stating that as per the decision of this Court, the petition is maintainable. Despite the same, the District Consumer Disputes Redressal Forum returned the petition. Aggrieved by which, the petitioner filed this Civil Revision Petition.

2.Heard the learned counsel appearing on either side and perused the materials placed before the Court.

3.The learned counsel for the petitioner would submit that the petitioner represented the application referring the decision of this Court and also the Circular of the State Consumer Redressal Commission. Despite the order of this Court and also the Circular of the State Consumer Redressal Forum, the District Consumer Disputes Redressal Forum has returned the papers and not taken the application on file, which warrants interference of this Court. The learned counsel for the petitioner, in support of his contention, has relied on the decision of this Court in CRP.No.3935 of 2008 dated 04.11.2016 [B.Nagaraj Vs. Green Earth Biotechnologies Ltd.,].

4.It is a settled proposition of law that against the order passed by the District Consumer Disputes Redressal Forum, the State Consumer Redressal Commission has got power and the High Court has no power to deal with any petition regarding the order of District Consumer Disputes Redressal Forum, pending under the Consumer Protection Act, 1986. Though the learned counsel for the petitioner referred the decision of this Court, I am not agreed with the decision of the learned Brother Judge, since the Hon'ble Supreme Court has clearly given the verdict that the High Court has no power to deal with the petitions regarding the application under the Consumer Protection Act. Therefore, in these circumstances, I am not inclined to give any direction to the District Consumer Disputes Redressal Forum. If at all the petitioner is aggrieved with the returned endorsement made by the District Consumer Disputes Redressal Forum, he can very well approach the State Consumer Redressal Commission and not before the High Court. Under these



circumstances, this Civil Revision Petition is not maintainable and the same is dismissed. No costs.

Sd/-

Assistant Registrar (records)

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/ /2020

Sub Assistant Registrar(CS)

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To

1. The District Consumer Disputes Redressal Forum,
Tirunelveli.
2. The Section Officer,
ER Section,
Madurai Bench of Madras High Court, Madurai
(to return the original proceedings
filed by the petitioner along with this Revision Petition.)

+1 CC to M/s.R.ARAVINDRAJ, Advocate (SR-10654[F] dated 09/03/2020)
+1 CC to M/s.ANANTH C.RAJESH, Advocate (SR-10841[F] dated
10/03/2020)

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MK (12.05.2020) 3P 5C