



W.P.No.14818 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.06.2023

CORAM

THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

W.P.No.14818 of 2023
and W.M.P.No.14379 of 2023

Dharshini Thangavelu

.. Petitioner

Versus

M/s.Hi Tech Micro Food Enterprises
Rep by its Partner
K.Udayakumar
S/o.Karuppasamy
D.No.647, Hi Tech Building
Puliyakulam Main Road
Coimbatore – 641 045

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Prohibition, prohibiting the District Consumer Disputes Redressal Commission at Coimbatore from proceeding with C.C.No.145 of 2023 filed by the respondent.

For Petitioner : Mr.M.Saravanakumar

ORDER

The present Writ petition has been filed seeking to prohibit the District Consumer Disputes Redressal Commission at Coimbatore from proceeding with C.C.No.145 of 2023 filed by the respondent.



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2. The learned counsel for the petitioner submitted that the District Consumer Disputes Redressal Commission without jurisdiction has entertained a complaint made by the private respondent. Hence, this writ petition.

3. Heard the learned counsel for the petitioner and perused the materials placed on record. Since, no adverse order is passed against the respondent, notice to the respondent is dispensed with.

4. Considering the claim of the petitioner that the District Consumer Disputes Redressal Commission without jurisdiction has entertained a complaint made by the respondent, this Court is of the view that such jurisdictional aspect can very well be canvassed before the District Consumer Disputes Redressal Commission, if at all, negatived, the same is appealable before the National Consumer Disputes Redressal Commission. Thus, this Court is of the further view that without exhausting such appeal remedy before the competent forum, filing of the present writ petition is not sustainable in the eye of law.



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5. In view of the above, this writ petition stands dismissed with a liberty to the petitioner canvass all those points including the jurisdictional aspect before the District Consumer Disputes Redressal Commission. No costs. Consequently, connected miscellaneous petition is closed.

01.06.2023

dhk

Speaking Order : Yes/ No

Index : Yes/ No

Internet : Yes/No

To

1.The District Consumer Disputes Redressal Commission
Coimbatore



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M.DHANDAPANI, J.

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