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C.R.P.(NPD).No.2367 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 18.08.2025

Coram:

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

C.R.P.(NPD).No.2367 of 2025

and

C.M.P.No.13692 of 2025

--

1. The District Collector,
Kancheepuram District,
Kancheepuram.
2. The District Collector/Special Officer,
Chengalpattu District, Chengalpattu.
3. The Tahsildar,
Tambaram Taluk,
Tambaram, Chennai-600 045.
4. The Chief Engineer,
Water Resource Department,
Chennai Region, Chepauk,
Chennai-600 005.

.. Petitioners

Vs.

Thiru.C.Chellathurai (died)

1. Mrs.Jayaseely
2. Mrs.Arul Selvi
3. Mr.Christopher Raj

(amended as per the Order in

C.M.P.No.13 of 2022, dated 06.05.2022)

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4. Thiru.M.Rajamant

5. The Commissioner,
Tambaram Municipality,
Tambaram, Chennai-600 045.

.. Respondents

Civil Revision Petition filed under Article 227 of the Constitution of India, praying to set aside the order dated 23.05.2024 in C.C.No.14 of 2020 on the file of the District Consumer Disputes Redressal Commission, Kanchipuram District @ Chengalpattu.

For petitioners : Mr.R.Siddharth, Addl. Govt. Pleader

For respondents: Mr.V.Chandrakanthan for RR-1 to 4

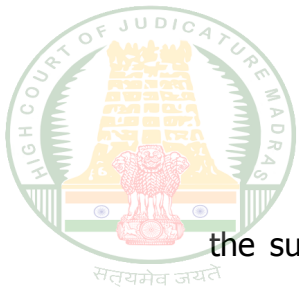
No appearance for R-5

ORDER

The petitioners have filed the present Civil Revision Petition under Article 227 of the Constitution of India, praying to set aside the order dated 23.05.2024 in C.C.No.14 of 2020 on the file of the District Consumer Disputes Redressal Commission, Kancheepuram District @ Chengalpattu.

2. Learned Additional Government Pleader appearing for the petitioners submitted that the District Consumer Disputes Redressal Commission has no jurisdiction to entertain the subject matter of the dispute and therefore, this Court has got power under Article 227 of the Constitution of India, with regard to

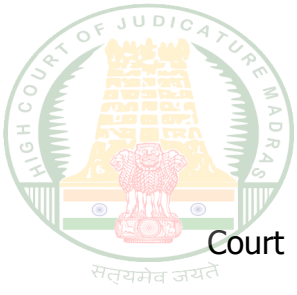
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the superintendence over the subordinate Courts including the Tribunal or the State. Therefore, the petitioners have approached this Court invoking Article 227 of the Constitution of India to set aside the order passed by the District Consumer Disputes Redressal Commission, by order dated 23.05.2024. In support of his submissions, learned counsel for the petitioners had placed reliance on the judgment of the Honourable Supreme Court in the case of Shalini Shyam Shetty Vs. Rajendra Shankar Patil, reported in 2010 (8) SCC 329 for the proposition that the High Court has got jurisdiction under Article 227 of the Constitution of India to correct the errors committed by the Subordinate Courts and also the Tribunal, by invoking the superintendence power over the subordinate Courts/Tribunal.

3. Learned counsel for the respondents 1 to 4 submitted that the High Court has no jurisdiction under Article 227 of the Constitution of India to entertain this revision petition, since three-tier system is available already under the Consumer Protection Act, 1986, namely the District Commission, the State Commission and the National Commission. If the parties are aggrieved by the order of the District Commission, they have to approach only the State Commission and thereafter to the National Commission and as against the order passed by the State Commission, the parties have to approach only the National Commission and not to the High Court and already, the Honourable Supreme



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Court held that even if anybody is aggrieved by the order passed by the State Commission, they have to only approach the National Commission and aggrieved by the order passed by the National Commission, the parties have to approach only the Supreme Court by way of filing Special Leave Petition and therefore, the High Court has no jurisdiction to entertain this petition by invoking Article 227 of the Constitution of India by exercising the superintendence power over the District Consumer Disputes Redressal Forum or under Writ jurisdiction, when the parties have alternative remedy and the High Court cannot entertain a Writ Petition under Article 226 of the Constitution of India, or the Civil Revision Petition under Article 227 of the Constitution of India.

4. Heard both sides and perused the materials available on record.

5. Admittedly, the petitioners have challenged the order passed by the District Consumer Disputes Redressal Forum, and since there is an appellate remedy available to the petitioner to challenge the said order, before the State Commission under Section 15 of the Consumer Protection Act, 1986 and when the petitioners have got statutory remedy before the State Commission, the petitioners cannot invoke the Article 227 of the Constitution of India. Further, the High Court is not having superintending power over the consumer forums. Therefore, the said decision of the Supreme Court relied on by the learned counsel for the petitioners, is not applicable to the facts of the present case on

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hand. However, the learned counsel for the respondents 1 to 4 had rightly pointed out that the petitioners have got statutory remedy only before the State Commission.

6. In the above circumstances, this Court finds that this Court lacks jurisdiction to entertain the present civil revision petition. Hence, this petition is dismissed, with liberty to work out their remedy before the appropriate forum in the manner known to law. The miscellaneous petition is closed.

7. However, the Registry is directed to return the certified copy of the original order filed in this civil revision petition to the learned counsel for the petitioners, for enabling the petitioners to approach the appropriate forum.

18.08.2025

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To

1. The District Collector,
Kancheepuram District,
Kancheepuram.
2. The District Collector/Special Officer,
Chengalpattu District, Chengalpattu.
3. The Tahsildar,
Tambaram Taluk,
Tambaram, Chennai-600 045.

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4. The Chief Engineer,
Water Resource Department,
Chennai Region, Chepauk,
Chennai-600 005.
5. The Commissioner,
Tambaram Municipality,
Tambaram, Chennai-600 045.
6. The President, District Consumer Disputes
Redressal Commission, Kancheepuram District @ Chengalpattu.



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P.VELMURUGAN, J

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