



W.P(MD)No.20311 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.07.2025

CORAM:

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
and
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

**W.P(MD)No.20311 of 2025
and
W.M.P(MD)No.15721 of 2025**

M/s.Global Capital Trading Services,
Having Registered Office at:
Plot No.6, Door No.50,
Opposite Police Check Post,
T.Nagar, Madurai, Tamil Nadu – 625 001.

Through its Partners:

1.K.S.Palanichamy
2.P.Bhagyalakshmi
3.D.Ganesh Kumar

... Petitioners

vs.

1.The National Consumer Disputes Redressal Commission,
Upbhokta Nyay Bhawan,
'F' Block, GPO Complex,
INA Colony,
New Delhi – 110 023.



W.P(MD)No.20311 of 2025

WEB COPY

2.The State Consumer Disputes Redressal Commission (SDRC),
District Court Complex,
Madurai – 625 020.

3.V.Raja Pandi

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus calling for records from the first respondent National Consumer Disputes Redressal Commission, New Delhi and quash the order dated 12.06.2025 passed in First Appeal No.NC/FA/286/2025 by the first respondent (National Consumer Disputes Redressal Commission, New Delhi) and pass an consequential order in the nature of a writ of mandamus to restore the first appeal in No.NC/FA/286/2025 to file to be decided on merits in accordance with law.

For Petitioners : Mr.S.Sukumar
for M/s.APN Law Associates

ORDER

(Order of the Court was made by S.M.SUBRAMANIAM, J.)

The Tamil Nadu State Consumer Dispute Redressal
Commission, Madurai Bench, passed final orders in Complaint Case No.12



W.P(MD)No.20311 of 2025

of 2014 on 23.12.2014. Challenging the order of the Tamil Nadu State Consumer Disputes Redressal Commission, the writ petitioners preferred a statutory appeal before the National Consumer Disputes Redressal Commission at New Delhi in the year 2025. There was a delay of 3,814 days in filing the appeal before the National Consumer Disputes Redressal Commission.

2.The National Consumer Disputes Redressal Commission elaborately considered the reasons for such an enormous delay in instituting appeal proceedings and dismissed the appeal. Consequently, the present Writ Petition came to be instituted.

3.The National Consumer Disputes Redressal Commission, while dealing with the delay, made a finding that the appellants were aware of the execution proceedings in the year 2022, which was dismissed for default. They again came to know about the filing of the fresh Execution Application No.13 of 2024, in which they filed a vakalatnama. Thus,



W.P(MD)No.20311 of 2025

WEB COPY

knowledge was admitted by the petitioners. They came to know about the impugned order dated 23.12.2014 way back in the year 2022 itself. However, there is no explanation as to why no steps were taken to challenge the impugned order despite having had alleged knowledge in the year 2022. The appeal before the National Consumer Disputes Redressal Commission was filed on 02.06.2025, challenging the order of the Tamil Nadu State Consumer Dispute Redressal Commission dated 23.12.2014.

4.Unconardonable delay cannot be condoned by the Courts in a mechanical manner. The law of limitation is substantive. The rule is to adhere to the limitation period. Condonation of delay is an exemption. Thus, the Courts are expected to consider the genuineness of the reasons stated for the delay while dealing with petitions for condonation of delay. Normally, delay of short periods will be considered by the Courts with a lenient view. However, whenever the delay is long, then the Courts must ascertain the reasons and evaluate their genuineness for the purpose of considering condonation.



W.P(MD)No.20311 of 2025

WEB COPY

5.In the present case, the National Consumer Disputes Redressal Commission has elaborately considered the reasons assigned by the petitioners before the Commission and declined to condone the delay, which, in the opinion of this Court, is in consonance with the established principles in the matter of condonation of delay.

6.Accordingly, this Writ Petition stands dismissed. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

[S.M.S.,J.] & [A.D.M.C.,J.]
25.07.2025
(1/2)

NCC : Yes / No
Index : Yes / No
Internet : Yes
ps



W.P(MD)No.20311 of 2025

WEB COPY

To

- 1.The National Consumer Disputes Redressal Commission,
Upbhokta Nyay Bhawan,
'F' Block, GPO Complex,
INA Colony,
New Delhi – 110 023.

- 2.The State Consumer Disputes Redressal Commission (SDRC),
District Court Complex,
Madurai – 625 020.



WEB COPY



W.P(MD)No.20311 of 2025

S.M.SUBRAMANIAM, J.
and
DR.A.D.MARIA CLETE, J.

ps

ORDER MADE IN
W.P(MD)No.20311 of 2025

DATED : 25.07.2025
(1/2)