



C.M.P.(MD)No.14170 of 2

C.R.P.(MD)No.SR71606 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.08.2025

CORAM

THE HON'BLE MR. JUSTICE M.DHANDAPANI

C.M.P.(MD)No.14170 of 2025

in

C.R.P.(MD)No.SR71606 of 2025

1.Akhil Ansari

2.Muhammed Koya

...Petitioners

Vs.

1.T.Ayyappan

2.The Manager,

Little Woods Villa & others,

Little Woods Villa,

Kunnampetta Sitharan Vayal Road,

Kunnampetta, Meppadi,

Kunnam Petta,

Kerala – 673 123.

...Respondents

PRAYER in C.M.P.(MD)No.14170 of 2025: Civil Miscellaneous Petition is filed under Section 151 of the Civil Procedure Code, praying to dispense with the production of original impugned order in C.C.No.7 of 2025 dated



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14.08.2025 passed by the District Consumer Redressal Commission at
Dindigul.

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PRAYER in C.R.P.(MD)No. SR71606 of 2025: Civil Revision Petition is filed under Article 227 of the Constitution of India, praying to set aside the order dated 14.08.2025 in C.C.No.7 of 2025 and direct a fresh hearing with due opportunity for the petitioners to defend themselves.

For Petitioners : Mr.N.Sekar

ORDER

This Civil Miscellaneous Petition has been filed seeking to dispense with the production of original impugned order in C.C.No.7 of 2025 dated 14.08.2025 passed by the District Consumer Redressal Commission at Dindigul.

2.The Civil Revision Petition has been filed seeking to set aside the order dated 14.08.2025 in C.C.No.7 of 2025 and direct a fresh hearing with due opportunity to the petitioners to defend themselves.

3.Since no adverse orders are going to be passed against the respondents,
notice to the respondents is dispensed with.



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4.Learned Counsel for the petitioners would submit that the first respondent filed a consumer complaint in C.C.No.7 of 2025, on the file of the District Consumer Redressal Commission. In the said complaint, the petitioners are arrayed as second and third respondents. Since they have not filed proof affidavit to examine themselves as defendants before the consumer forum, they were set ex-parte vide impugned order dated 14.08.2025. Challenging the same, the present Civil Revision Petition has been filed.

5.However, the Registry raised a query regarding maintainability, since as against the order passed by the Consumer Forum, remedy is available before the State Consumer Redressal Commission in terms of Section 41(1) of the Consumer Protection Act, 2019 and without exhausting the said remedy, the present Civil Revision Petition has been filed.

6.In response, learned Counsel for the petitioner would submit that the State Consumer Forum is having Circuit Bench in Madurai. However, they are not frequently sitting in the Circuit Bench.

7.However, this Court is of the view that since the Circuit Bench is not sitting in Madurai, the petitioner cannot approach this Court under Article 227



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of the Constitution of India, whereas, he can very well file an appeal either before the Chennai Bench or the Circuit Bench at Madurai. Instead of availing both the opportunities, filing a Civil Revision Petition is not maintainable.

6. Accordingly, the objection raised by the Registry is sustained. The Civil Miscellaneous Petition stands dismissed. There shall be no order as to costs. Consequently, the main Civil Revision Petition is also dismissed at the SR stage itself. However, liberty is granted to the petitioners to file an appeal before the State Consumer Redressal Commission.

26.08.2025

Internet: Yes/No

Index: Yes/No

MR



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To

1.The District Consumer Redressal Commission,
Dindigul.

2.The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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M.DHANDAPANI, J.

MR

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in

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