



C.R.P.(NPD)(MD).No.290 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.04.2025

CORAM

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

C.R.P.(NPD)(MD).No.290 of 2025
and CMP(MD).No.1694 of 2025

Jesuraja

.... Petitioner/Appellant/Opposite Party

-VS-

G.Usha Bernadette Mary

...Respondent/Respondent/Claimant

PRAYER: The Civil Revision Petition has been filed under Article 227 of Constitution of India, to set aside the order dated 03.10.2024 passed in First Appeal No.780 of 2024 with I.A.No.13685 of 2024 on the file of the National Consumer Disputes Redressal Commission, New Delhi by allowing the revision petition.

For Petitioner : Mr.S.Bala Karthick

For Respondent : Mr.I.Murugesan

ORDER

The opposite party in C.C.No.40 of 2017 on the file of the State Consumer Disputes Redressal Commission, Madurai has filed the present



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civil revision petition challenging the order passed by the National Consumer Disputes Redressal Commission, (NCDRC), New Delhi in I.A.No.13685 of 2024 in First Appeal No.780 of 2024.

2.A perusal of the records reveal that the respondent herein had filed a consumer complaint before the State Consumer Disputes Redressal Commission, Circuit Bench at Madurai seeking relief of damages caused in the building to the tune of Rs.10,00,000/-, mental agony to the complainant for poor construction of the house, and Rs.50,000/- as cost of the litigation expenses and legal expenses.

3.The revision petitioner herein has not filed his written version till the disposal of the complaint. Ultimately, the complaint was allowed on 16.12.2022 directing the revision petitioner herein to pay a sum of Rs.9,00,000/- for loss and reconstruction of the building and also to pay Rs.2,00,000/- towards compensation for deficiency in service and mental agony to the complainant.

4.It is not known whether the counsel for the revision petitioner herein had received a free copy of the order from the State Commission. There is no averments relating to the same. A certified copy has been applied after a period of 1 ½ years on 20.05.2024 and the copy was made



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ready on 22.05.2024. An appeal has been presented before NCDRC on 03.09.2024 with a delay of 562 days. The only reason assigned for the delay is that after obtaining certified copy, they have taken time for consultation and preparation of appeal. Except this reason, no other legally acceptable reason has been pointed out by the revision petitioner for condoning the huge delay of 562 days. The copy application itself has been filed only after a period of 1 ½ years. This delay is also not explained.

5.In such circumstances, the National Consumer Disputes Redressal Commission, New Delhi has rightly dismissed the condone delay application. This Court does not find any reason to interfere in the said order. This civil revision petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

08.04.2025

Index : Yes/No
Internet : Yes/No
NCC : Yes/No
msa



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To

1.The National Consumer Disputes Redressal Commission, New Delhi

2.The Record Keeper,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.



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R.VIJAYAKUMAR, J

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