



WEB COPY



CRP No. 3176 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-06-2026

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRP No. 3176 of 2025

1. Sivagami

W/o. Late G.G.K. Chelliya, R/o. Plot
No.26, New No.33, Old No.34, B.V.
Colony, Vyasarpadi, Chennai - 039.

Petitioner(s)

Vs

1. K.Saravanan

Proprietor of S.A.Associates, No.187,
Block, Vasantham Colony, Thanikachalam
Nagar, Ponnammanmedu, Chennai - 110.

Respondent(s)

Revision filed under Article 227 of the Constitution of India challenging the order passed by the National Consumer Disputes Redressal Commission in Revision Petition No.556 of 2025 dated 29.05.2025.

For Petitioner(s): Mr.T.T.Ravichandran
For Mr.Baalaji

For Respondent(s): Sole Respondents - Left

ORDER

Aggrieved by the impugned order passed by the National Consumer Disputes



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Redressal Commission, New Delhi in I.A.No.4336 of 2025 dated 22.04.2025, the

revision petitioner has filed the present revision.

2. Learned counsel for the revision petitioner submits that she filed a Review Petition before National Consumer Disputes Redressal Commission, New Delhi, but there is a delay of 113 days. Therefore, to condone the delay, she has filed an application in I.A.No.4336 of 2025. On hearing both sides, National Consumer Disputes Redressal Commission dismissed the application stating that no valid reason was assigned for the delay and also there is no sufficient cause to condone the delay. Aggrieved by the same, the present revision has been filed.

3. Learned counsel for the petitioner relied on the decision of the Hon'ble Supreme Court in the case of *M/s Universal Sompo General Insurance Co Ltd vs Suresh Chand Jain and another (Special Leave Petition (Civil) No.5263 of 2023)*, wherein, the Hon'ble Supreme Court has held as follows:

“ 38. In the aforesaid view of the matter, we have reached to the conclusion that we should not adjudicate this petition on merits. We must ask the petitioner herein to first go before the jurisdictional High Court either by way of a writ application



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under Article 226 of the Constitution or by invoking the supervisory jurisdiction of the jurisdictional High Court under Article 227 of the Constitution. Of course, after the High Court adjudicates and passes a final order, it is always open for either of the parties to thereafter come before this Court by filing special leave petition, seeking leave to appeal under Article 136 of the Constitution.”

and submits that this Court is empowered to hear the revision since the revision petitioner has no other remedy to challenge the order.

4. Considering the ratio laid down in the above case, this Court is empowered to hear the revision arising out of the order passed by the National Consumer Disputes Redressal Commission under the supervisory jurisdiction. The counsel at Delhi has approached the counsel at Chennai for preferring a revision before National Consumer Disputes Redressal Commission, New Delhi and the counsel at Chennai has sent papers to the Counsel at Delhi, but, at that time, the counsel for the petitioner in Delhi has shifted to new office in the chambers within the premises of Hon'ble Supreme Court and while transferring the office, several files including the documents sent by the counsel from Chennai were misplaced. To that effect the documents enclosed in the petitioner

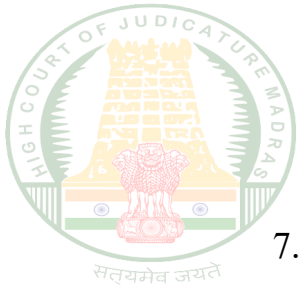


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proves the same. Thereafter, the counsel at Delhi has contacted the counsel at Chennai to send photocopies of all the documents, as a result of which, there was a delay in filing the revision petition. Therefore, there is no willful negligence on the part of the petitioner, but, however, the National Consumer Disputes Redressal Commission, New Delhi has failed to take note of the same and has erroneously dismissed the application.

5. The notice sent to the respondent has been returned with an endorsement “Left”.

6. On perusal of the records, it is seen that the Commissioner, National Consumer Disputes Redressal Commission, New Delhi dismissed the application holding that the delay was not properly explained and no valid reason has been assigned for the delay. But the fact reveals that the counsel for the petitioner’s counsel at Delhi has shifted the chambers within the premises of the Hon’ble Supreme Court of India and while shifting the office, several files including the documents sent by the Counsel from Chennai were misplaced and for that the petitioner would not be find fault with and therefore, an opportunity is to be given to the petitioner to prefer a revision. Otherwise, his valuable right to defend the case will be defeated.



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7. Under such circumstances, the order passed by the National Consumer Disputes Redressal Commission, New Delhi dated 22.04.2025 is set aside and the delay is condoned and consequently Revision Petition No.556 of 2025 is restored to file.

With the above observation, the civil revision petition is allowed. No costs.

11.06.2026

sr
Index:yes/no
Website:yes/no
Speaking Order/Non-speaking order

To

The National Consumer Disputes Redressal Commission
New Delhi.



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