

SUPR EME COUR T OF I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).15931/2007

(From the judgement and order dated 23/01/2007 in RP No. 480/2006 of
The NATIONAL CONSUMERS DISPUTES REDRESSAL COMMISSION, NEW
DELHI)

P.S.ABDUL KHADER

Petitioner(s)

VERSUS

TAMIL NADU HOUSING BOARD & ORS.

Respondent(s)

(With prayer for interim relief and office report)
(FOR FINAL DISPOSAL)

Date: 07/08/2009 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.V. RAVEENDRAN
HON'BLE MR. JUSTICE P. SATHASIVAM

For Petitioner(s) Mr. V. Balaji, Adv.
Ms. R. Meena Kumari, Adv.
Mr. Pravesh Thakur, Adv.
Ms. T.S. Shanthi, Adv.
Mr. Narendra Kumar, Adv.

For Respondent(s) Mr. T. Harish Kumar, Adv.
Mr. Prasanth P., Adv.
Mr. V. Vasudevan, Adv.
Mr. S. Thananjayan, Adv.

UPON hearing counsel the Court made the following
ORDER

In this case, notice was ordered on 13/8/2008 to the
National Consumer Disputes Redressal Commission, New Delhi,
as this Court wanted to have the views of Commission in regard
to the listing of matters before its circuit benches. Under the
assumption that this Court merely

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wanted to know the procedure, the National Commission has
merely addressed a letter to the Registrar of Supreme Court
giving the particulars of the procedure and has not entered
appearance.

The circumstances in which notice was issued to the
Commission were peculiar. The petitioner is a litigant from

Madurai. He challenged the order of the State Commission by filing a revision petition before the National Commission. He engaged a counsel at New Delhi to file a revision and argue the case. According to him, if such a case is taken up for consideration at Chennai, he is put to enormous double expenditure. Apart from the fees he has paid to the counsel at Delhi for the conduct of the case, he is required to travel from Madurai to Chennai and also engage a counsel at Chennai, as he could not afford to take the Delhi counsel to Chennai. Therefore, he contended that his case should not have been listed before the circuit bench at Chennai.

The purpose of listing the matters before circuit benches is to provide easier access to justice and avoid the cost of travel for the litigant. All these are defeated if the petitioner is put to enormous cost and double expenditure by such listing before circuit benches.

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We are not unaware of the fact that some parties would prefer their Revision Petitions to be heard by the circuit bench at Chennai, by engaging a lawyer at Chennai.

The reason why we issued notice is to ascertain whether the petitioners could be given clear option at a preliminary stage to have his matter heard at Delhi or by the circuit bench. As this problem may occur in many other cases also, we wanted the Commission to clarify the position.

Therefore, issue fresh notice to the Commission returnable in three weeks so that it can appear through a counsel or any authorised representative to give the necessary clarification to enable us to pass appropriate orders.

Asfaras the order that is challenged, having regard to the fact that the petitioner was not able to effectively represent his case at Chennai, we set aside the interim order dated 23/1/2007 passed by the circuit bench at Chennai and request

the Commission to hear the matter at the Principal Bench at
New Delhi.

List for final disposal in October 2009 to deal with the
administrative issue relating to the National Commission.

(Ravi P. Verma)
Court Master

(M.S. Negi)
Court Master