

P. Venugopal Vs. M/S. R.R. Donnley India Outsource Private Ltd., Rep.by Its Managing Director

P. Venugopal Vs. M/S. R.R. Donnley India Outsource Private Ltd., Rep.by Its Managing Director

SooperKanoon Citation : sooperkanoon.com/1108011

Court : Tamil Nadu State Consumer Disputes Redressal Commission SCDRC Chennai

Decided On : Jul-24-2012

Judge : Honourable Thiru Justice R. Regupathi, President, Thiru a.K. Annamalai, M.a., M.L., M.Phil., Judicial Member & Honourable Thiru S. Sambandam, B.SC., Member

Appeal No. : R.P.NO.118 of 2011 Against C.M.P 466/2010 in CC 481/2008 on the file of DCDRF,Chennai (South)

Appellant : P. Venugopal

Respondent : M/S. R.R. Donnley India Outsource Private Ltd., Rep.by Its Managing Director

Judgement :

A.K. ANNAMALAI, JUDICIAL MEMBER.

1. The complainant as a petitioner filed this Revision Praying for set a side the order passed by the District Forum in CMP 466/2010 in C.C. 481/2008 dated 14.11.2011. in which the petitioner praying for rejection of the written version of the opposite party, since it was filed by one 3rd person in the capacity of company secretary, who is not the Managing Director of opposite party.

2. After hearing both sides, the District Forum dismissed the petition by observing that the petition was filed belatedly after filing written argument by the Respondent/opposite party.

3. Aggrieved by this impugned order, the petitioner filed the Revision on the ground that the opposite party filed the written version through the unauthorized 3rd party which cannot be accepted with the proceeding thereby the erroneous order of the District Forum to be set a side.

4. We have heard both sides contentions in this regard, and the Respondent/opposite party contended that only the authorized person the company secretary as associate partner filed written version which is the authorized one and regarding all, anything against the procedure which could be very well agitated before the District Forum on perusal of the material, we are of the view that the petitioner has got every right and chances before the District Forum to express their objections and other details objecting the alleged defects or the admisibity the written version and as pointed out in the order as the case was in the stage of final arguments and the respondent/opposite party filed their written arguments by intervening by the way of filing such petition to reject the written version would certainly to drag on the matter caused delay in the disposal and already pointed out since the same was filed belatedly the petition was dismissed and we are of view that no error or irregularity in the order filed by the District Forum. with such cogent reasons stated for dismissal of the petition. Further the petitioner pointed out certain discrepancies in the cause title and in some of the petitions/counter filed by the respondent/opposite party. It could be suitably rectified or amended with the permission of the District Forum, if at all necessary or required on the basis of representation by petitioner.

5. Hence this Revision Petition is liable to be dismissed as no merits and accordingly the Revision petition is dismissed with the direction to the District Forum to dispose of the main complaint itself and after hearing the petitioners arguments in this regard. No order as to cost in this petition.