
(2000) 06 NCDRC CK 0061

In the National Consumer Disputes Redressal Commission

M.DRAVIDAMANI

APPELLANT

Vs

S.PARAMASIVAM

RESPONDENT

Date of Decision : 16-06-2000

Acts Referred:

Citation : 2001 1 CPJ 68

Hon'ble Judges : M.S.Janarthanam , Banumathi Baskaran J.

Final Decision : Complaint dismissed

Judgement

1. THE complainant sent the complaint alongwith certain other documents to this Commission through post for action.

2. THE Registry in turn taking the complaint on file, posted the matter before us in open Court for admission. A perusal of the complaint and other documents filed alongwith it reveal the following factors : (1) THE complainant, it appears, is a chronic diapaetic patient. He had been taking treatment from several doctors switching from one to another doctor. (2) He had been taking treatment not only with doctors practising Allopathic medicine but also with doctors practising Homeopathic medicine. (3) All of a sudden a blister it appears appeared in his right leg. He initially took treatment from an Allopathic doctor. THE blister was somehow or other healed.

Again problem cropped up. Ultimately, the problem went to such an extent as to remove the thumb in the left leg. The matter did not stop there. Another surgery was undergone and in that surgery a portion of his left leg had been removed.

Alleging the factors as above, he knocked at the doors of this Commission alleging deficiency in service on the part of the opposite party doctor who performed the surgery on his leg for certain reliefs as prayed for in the complaint.

3. A thorough perusal of the averments in the complaint as well as the documents he has filed alongwith the complaint did not at all prima facie reveal that there was any negligence on the part of the opposite party doctor in the performance of the operation. In such state of affairs, taking the complaint on

file and issuing notice to the opposite party doctor, we don't want to do, as such a course is likely to harass the opposite party without any justifiable cause. As such the complaint deserves to be rejected in limine and we accordingly do so. Complaint dismissed.