
(1996) 09 NCDRC CK 0008

In the National Consumer Disputes Redressal Commission

TAHSILDAR

APPELLANT

Vs

Sundararajan

RESPONDENT

Date of Decision : 06-09-1996

Acts Referred:

Citation : 1996 3 CPJ 322

Hon'ble Judges : E.J.Bellie , Angel Arulraj J.

Final Decision : Appeal allowed

Judgement

1. THIS appeal is by the opposite party Tahsildar, Taluk Office, Aranthangi Taluk, against whom an award has been passed by the District Forum, Pudukkottai. It is seen from the records that the complaint has been filed alleging that the complainant applied to the opposite party Tahsildar for supply of copies of Adangal, 10(1) Chitta and F.M.B. (Field Measurement Book) affixing a stamp for Rs. 2/-, but the copies have not been furnished. On these grounds the complaint has been filed for Rs. 15,000/- as damages for pain and sufferings and also for directing the opposite party to supply the said copies.

2. IT appears that the opposite party remained ex-parte before the District Forum. The District Forum allowed the complaint and directed the opposite party to pay damages of Rs. 250/- to the complainant and supply the copies applied for and also pay costs or Rs. 300/-. It is against this order the appeal is filed by the opposite party.

We are clearly of the view that the complaint cannot be sustained as the complainant cannot be said to be a consumer as defined in the Consumer Protection Act. There is no question of hiring or availing of any services of the opposite party and no question of payment of any consideration arises in the matter. The opposite party Tahsildar is doing his governmental work and he does not receive any consideration therefor. The stamp for Rs. 2/- affixed is only a fee and that cannot be considered as a consideration.

3. IN this view of the matter, the appeal is allowed, the order of the District

Forum is set aside, and the complaint is dismissed. Appeal allowed.