**BEFORE THE HON’BLE DISTRICT CONSUMER DISPUTES REDRESSAL**

**COMMISSION AT MADURAI**

**CONSUMER COMPLAINT NO. \_\_\_\_\_\_of 2023**

**IN THE MATTER OF:**

1. R.Jawahar,

S/o. Ramasamy,

Age:70 years

Occupation: Shopkeeper

Mela Chinnampatti,

Kalvelippatti Post,

Vadipatti Taluk,

Madurai District.

2. G.Kannan,

S/o. Govindan,

Age:69 years

Occupation: Retired Employee(Revenue Department)

D.No.2/691, Bharathi Nagar,

Kannanendal,

Madurai – 625014 ................. COMPLAINANT

Vs

The Divisional Manager,

Southern Railway,

Divisional Office,

Madurai – 16. ………OPPOSITE PARTY

COMPLAINT UNDER SECTION 35 of CONSUMER PROTECTION ACT

MOST RESPECTFULLY SHOWETH:

1. The address of the Complainant for the purpose of service of summons, notice, etc is as shown in the cause title above and that of his counsel
2. The address of the Opponents for the very purpose is the same as shown in the cause title above.
3. Herein the above-named Complainant most respectfully submits as under,
4. It is stated that the first complainant is R. Jawahar (70 years), S/o Ramasamy, R/o Mela Chinnampatti, Kalvelippatti Post, Vadipatti Taluk, Madurai District, PIN 625514. Mob: 9999xxxxxx who is a retired government servant who worked at the revenue department of State Public service Commission, Tamil Nadu. The second complainant is G. Kannan (61 years), S/o Govindan, R/o D.No. 2/691, Bharathi Nagar, Kannanendal, Madurai - 625014, PIN 625014. Mob: 8888yyyyyy. Both are senior citizens and were looking to travel from Madurai to Chennai. The complainant 2 is a physically challenged person, and needs the help of the complainant 1 to travel and to anywhere.
5. It is stated that on 12.08.2019, the complainants had booked train tickets vide PNR No. 8765091230 from Madurai to Chennai for journey date 20.08.2019 for two senior citizens (Encl: Exhibit A1).It is stated that as per the ticket, R. Jawahar (70 years) was Passenger No. 1 and G. Kannan (61 years, disabled) was Passenger No. 2.
6. It is stated that the complainants booked the tickets from Madurai Railway Station reservation counter by submitting the manual reservation requisition form (Encl: Exhibit A4) duly filled with correct details of the complainants.
7. It is stated that when the complainants reached Madurai Railway Station on 20.08.2019 to board the train to Chennai as per schedule in the ticket, they were denied boarding by the ticket inspector.
8. The complainants tried to inquire as to why they were not allowed to board the train. The inspector informed them that the name of the 1st complainant was wrongly printed in the ticket as Sri Murugan instead of R. Jawahar.
9. The inspector, informed about it, refused boarding saying Passenger No. 1's name was wrongly printed as 'Sri Murugan' instead of 'R. Jawahar' and for the complainant 2 the age was printed as 45 instead of actual age 70 years in the reservation chart (Encl: Exhibit A6). Both of the passengers could not travel on the said date due to the mistake in the travel chart prepared by the opposite party. Their tickets were subsequently allotted to some other passengers.
10. Even after informing the inspector that the age and the name might have been mismatched, their ticket got canceled. They were forced to take a bus to Chennai causing grave inconvenience, monetary loss and mental trauma. They had to pay extra for the urgent bus tickets from Madurai to Chennai. Denial of confirmed train booking and boarding caused severe mental trauma, harassment and hardship to the complainants. Furthermore, the complaints also had to cancel their return journey tickets from Chennai to Madurai that were scheduled for 21.08.2019. This also caused monetary loss to the complainants.
11. The complainant wrote the written complaint to the Railway authorities regarding this deficiency in service) and the mental agony.
12. This mistake was clearly due to carelessness and deficiency in service by the Southern Railways staff despite submitting correct details in the reservation form. The Railways staff refused to acknowledge their mistake in preparing the reservation chart with wrong details leading to denial of boarding.
13. Multiple written complaints were made to the Railways authorities regarding this deficiency in service and mental agony caused to senior citizens (Encl: Exhibit A3 and A5) but no resolution was provided. It is stated that the Railways displayed lack of fair and honest trade practices in addressing this genuine grievance of senior citizens. Hence, the complainant has approached the hon’ble forum for proper remedy.

**CAUSE OF ACTION:**The cause of action in this case arose on 20.08.2019 when the complainants, R. Jawahar and G. Kannan, were denied boarding the train from Madurai to Chennai. The cause of action includes the denial of confirmed train booking, the subsequent cancellation of tickets, the inconvenience, monetary loss, and mental trauma suffered by the complainants due to the mistake in the travel chart prepared by the railway authorities.

**TERRITORIAL JURISDICTION:** The complainant resides within the jurisdiction of this Hon'ble Commission. Hence this Hon'ble Commission has jurisdiction to try and entertain this complaint.

**PECUNIARY JURISDICTION**

The total consideration amount paid in purchasing the hotel booking is less than Rs. 50 lakhs. Hence this hon'ble commission has jurisdiction to entertain this complaint.

**COURT FEE:** That the Complainant is complying with the Court Fees Mandated under Rule 7 of the Consumer Protection (Consumer Dispute Redressal Commission) Rules, 2020.

**PRAYER:**

In light of the above, the complainants plead the Hon'ble Forum to:

1. Direct the Opposite Party to pay Rs. 5,00,000 as compensation to each complainant for mental agony, trauma, monetary loss and hardship caused.
2. Pass any other relief to meet the ends of justice, equity and fair compensation to senior citizens.
3. Award costs of this complaint.

Enclosures: As stated above (Exhibit A1 to A6)

**EVIDENCE:**

Exhibit A1: Original train reservation ticket dated 20.08.2019 for journey from Madurai to Chennai

Exhibit A2: Original cancelled return reservation ticket dated 21.08.2019 from Chennai to Madurai

Exhibit A3: Copy of RTI application dated 03.09.2019 sent by complainant 2 to Railway authorities

Exhibit A4: Copy of manual reservation requisition form submitted by complainants

Exhibit A5: Copy of written complaint dated 03.12.2019 sent to Railways

Exhibit A6: Copy of final reservation chart dated 03.02.2020 showing wrong passenger name/age

Date: Complainants

Place: Madurai

I hereby affirm that the facts stated above are true and correct to the best of my knowledge.

Yours faithfully,

R. Jawahar G. Kannan

Complainant 1 Complainant 2