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W.P.No.39089 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.11.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.39089 of 2025

and W.M.P.Nos.43848, 43849 & 43852 of 2025

S.Nagendran

...Petitioner

-Vs-

1. The Union of India,
Ministry of Consumer Affairs,
Food and Public Distribution,
Department of Consumer Affairs,
Krishi Bhawan,
New Delhi – 110 001.

2. The State of Tamilnadu,
Rep. By its Chief Secretary,
Namakkal kavignar Maligai,
Fort St. George,
Chennai – 600 009.

3. The Principal Secretary,
Civil Supplied and Consumer
Protection Department,
Government of Tamilnadu,
4th Floor, Ezhilagam,
Chepauk, Chennai – 600 005.

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4. The Registrar,

State Consumer Disputes Redressal Commission,
Frazer Bridge Road, V.O.C. Nagar, (Behind TNPSC)
Park Town, Chennai – 600 003.

(R4 deleted from the away of respondents
and R5 re-arranged as R4 vide order dated
22.10.2025 made in W.P.No.39089 of 2025)

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, to call for the records in t he Relieving Order RC.No.A1/2150/2025 dated 27.06.2025 issued by the 4th respondent to the petitioner and to quash the same and consequently direct the 3rd and 4th respondents to extend the tenure of the petitioner as to the office of Member, District Consumer Disputes Redressal Commission, Nagarcoil, irrespective of his attainment of age of 65 years, in line with the orders of the Supreme Court in Ganeshkumar Rajeswarrao Selukar and Ors Vs. Mahindrabhaskar Limaya and ors, dated 21.05.2025, till the appointment of new members is made as per New Rules including public interest and consumer interests.

For Petitioner : Mr.M.Velmurugan

For Respondents

For R1 : Mr.Srivastsa Sridhar

Central Government Standing Counsel

For R2 : Mr.V.Jeevagiridharan

Additional Government Pleader



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For R3 : Mr.C.Selvaraj
Additional Government Pleader
For R4 : Mrs.Dhilshath Raihana

ORDER

This writ petition has been filed challenging the order dated 27.06.2025 passed by the fourth respondent thereby relieving the petitioner from the post of Member, District Consumer Disputes Redressal Commission, Nagercoil.

2. The petitioner was appointed as Member of the District Consumer Disputes Redressal Commission, Nagarcoil. Thereafter he was relieved from service on 29.06.2025 on attainment of his age of 65 years. His appointment was made vide Government Order in G.O.Ms.No.51 dated 30.04.2022 read with proceeding dated 04.05.2022, on the file of the fourth respondent. As per the appointment order, the term of office for the said position shall be for a term of four years or up to the age of sixty five years, whichever is earlier, as per the Rule 10 of the Consumer Protection (Qualification for appointment, method of recruitment, Page 3 of 9



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procedure of appointment, term of Office, resignation of removal of the

President and Members of the State Commission and District Commission) Rules, 2020 (hereinafter referred to as “the Rules”). Now the petitioner challenged the relieving order in this Writ Petition on the ground that his tenure has to be extended as a Member of District Consumer Disputes Redressal Commission, Nagarcovil, instead of attainment of the age of 65 years, till the appointment of new Member, as per New Rules.

3. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

4. This issue has already been dealt with by the Hon’ble Supreme Court of India in the case ***Ganeshkumar Rajeshwarrao Selukar & ors. Vs. Mahendra Bhaskar Limaye & ors.***, reported in ***(2025) 8 SCC 634***, wherein direction, with regard to the status of appointment to the post of President and Members of the State and



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District Commission, has been issued. The relevant direction is as

follows:-

“6 Non-Judicial Members of the State Commission and the Members of the District Commission, who have given the written examination and viva voce.	a) If already appointed and serving, they shall be allowed to continue in service for the entirety of their tenure. In the event of their tenure ending before the completion of the recruitment process under the new rules to be notified, their appointment shall be allowed to continue until the completion of the said recruitment process.”
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5. The petitioner, as per Rule 10 of the Rules, shall hold office for a term of four years or up to the age of sixty five years, whichever is earlier. However, there is no recruitment to the post of Member, District Consumer Disputes Redressal Commission, Nagarcoil. Therefore, the petitioner may be permitted to continue his service.

6. In view of the above discussions, the impugned proceedings



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dated 27.06.2025 passed by the fourth respondent is hereby set aside. The

third and fourth respondents are directed to extend the tenure of the petitioner as to the office of Member, District Consumer Disputes Redressal Commission, Nagarcoil, forthwith, till the appointment of new Member is made as per New Rules.

7. Accordingly, the Writ Petition stands allowed. Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.

27.11.2025

Index : Yes/No
Neutral Citation : Yes/No
Speaking/Non Speaking order

rts

To

1. The Union of India,
Ministry of Consumer Affairs,
Food and Public Distribution,
Department of Consumer Affairs,
Krishi Bhawan,
New Delhi – 110 001.

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2. The Chief Secretary,
State of Tamilnadu,
Namakkal kavignar Maligai,
Fort St. George,
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rts

3. The Principal Secretary,
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