



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-12-2025

CORAM

THE HONOURABLE MR.JUSTICE V. LAKSHMINARAYANAN

WP No. 50722 of 2025

1. K.N. Kamalnath
Door No 37A/160
Weavers Street, krishnagiri District and
Taluk, Pin 635 001

Petitioner(s)

Vs

1. The Principal Secretary
Civil Supply and consumer protection Department
Protection Department,
Government of Tamil nadu,
Secretariat,
Fort St. George,
Chennai 600 009

2.The Registrar (FAC)
State Consumer Disputes Redressal Commission,
Frazer Bridge Road,
V.O.C. Nagar,
(Behind TNpSC) Park Town,
Chennai 600 003

Respondent(s)

PRAYER

Calling for the entire records relating to order dated 30.12.2024 to the Petitioner, via Rc. No A1/ 3924 / 2024 on the file of the 2nd Respondent and quash the same as illegal and arbitrary and consequently direct the Respondents to permit the petitioner to continue in service in accordance with law.



For Petitioner(s): Ms.Nanditha
for Ms.S.Nithya
for Mr.A.K.Balaji

For Respondent(s): Mr.P.Gurunathan
Additional Government Pleader

ORDER

By consent of both the counsels, this writ petition is taken up for final disposal.

2.Heard Ms.Nanditha for Ms.S.Nithya and Mr.A.K.Balaji for the petitioner and Mr.P.Gurunathan, Additional Government Pleader for the respondents.

3.The admitted case is that the petitioner was appointed on 21.03.2022 as a Non-Judicial Member of the District Consumer Disputes Redressal Forum (hereinafter referred to as DCDRF) at Nagapattinam. The period of office was four years or up to the age of 65, whichever is earlier. The appointment was as per Rule 10 of the Consumer Protection (Qualification for Appointment, Method of Recruitment, Procedure of Appointment, Term of Office, Resignation and Removal of the President and Members of the State Commission and District Commission) Rules, 2020.



4.The petitioner was served with the impugned order stating, as he has attained the age of 65 years, he is relieved from the post.

5.The petitioner states that the very issue was a subject matter of proceedings before the Supreme Court in ***Ganeshkumar Rajeshwarrao Selukar and others Vs. Mehendra Bhaskar Limaye and others, (2025) 8 SCC 634***. The Supreme Court had held that even if a member attains the age of 65, he / she can continue in the office, till the completion of the recruitment process to find a person in his / her stead. The petitioner states till date, the recruitment process has not been completed.

6.Ms.Nanditha relies upon two judgments of this Court in **P.Marimuthu Vs. The Principal Secretary to Government and another, in W.P.No.42628 of 2025 dated 11.11.2025** and **S.Nagendran Vs. The Union of India and others, in W.P.No.39089 of 2025 dated 27.11.2025**, where under applying the aforesaid verdict, member of DCDRF were permitted to continue in office till the process of recruitment was completed.

7.Mr.P.Gurunathan, Additional Government Pleader states that till date the process of recruitment has not been completed.



8. In the light of the judgments passed by the Supreme Court and that of this Court in **P.Marimuthu Vs. The Principal Secretary to Government and another**, in **W.P.No.42628 of 2025** dated **11.11.2025** and **S.Nagendran Vs. The Union of India and others**, in **W.P.No.39089 of 2025** dated **27.11.2025**, this Writ Petition is ordered. The petitioner can continue to act as a Member of the District Consumer Disputes Redressal Commission, Nagapattinam, till the completion of the recruitment process as per the new rules. No costs.

29-12-2025

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Index	:Yes/No
Speaking/Non-speaking order	
Internet	:Yes
Neutral Citation	:Yes/No



To

1. The Principal Secretary
Civil Supply and consumer protection
Department Protection Department,
Government of Tamil nadu, Secretariat,
Fort St. George, chennai 600 009

2. the Registrar (FAC)
State Consumer Disputes Redressal
Commission, Frazer Bridge Road,
V.O.c. Nagar, (Behind TNpSC) Park
Town, Chennai 600 003



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V.LAKSHMINARAYANAN J.

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