



WEB COPY



W.P. No.5555 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.02.2026

CORAM:

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P. No.5555 of 2026

N. Namachivayam

Petitioner

Vs

1. The Principal Secretary to Government,
Department of Co- operation,
Food and Consumer Protection,
Government of Tamil Nadu,
Secretariat, Fort St. George,
Chennai- 600 009.

2.The Registrar
State Consumer Disputes Redressal
Commission,
TNPSC Road,
V.O.C. Nagar (Behind TNPSC),
Park Town, Chennai- 600 003.

Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India to issue Writ of Mandamus, directing the respondents to extend the tenure of the Petitioner as Member of District Consumer Disputes Redressal Commission, Thoothukudi, with the existing service conditions, beyond 23.03.2026 until the completion of recruitment process after the new rules to be notified by the Union of India, in view of the judgment of the Honble Supreme Court of India dated 21.05.2025 in Civil Appeal No.9982 of 2024 in ***Ganeshkumar Rajeshwarrao Selukar & Ors, Vs. Mahendra Bhaskar Limaye & Others*** and to pass appropriate orders.



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For Petitioner : Mr.M. Velmurugan

For Respondents : Mr.P. Ganesan
Addl. Govt. Pleader for R1

ORDER

This Writ Petition has been filed seeking a direction to the respondents to permit the petitioner to extend the tenure of the Petitioner as Member of District Consumer Disputes Redressal Commission, Thoothukudi, beyond 23.03.2026 until completion of the recruitment process under the New Rules, in compliance with the judgment of the Hon'ble Supreme Court of India dated 21.05.2025 in Civil Appeal No.9982 of 2024 (*Ganeshkumar Rajeshwarrao Selukar and Ors. vs. Mahendra Bhaskar Limaye and Ors.*).

2. Heard the learned counsels appearing on either side. With the consent of both sides, the Writ Petition is taken up for hearing at the admission stage itself.

3. The brief facts of the case is as follows:

3.1. The petitioner was selected as Member, District Consumer Disputes Redressal Commission, Thoothukudi through Government Order dated 18.03.2022 and appointed vide proceedings dated 21.03.2022. The petitioner's recruitment and appointment were made in accordance with the Consumer



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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 (hereinafter referred to as “the 2020 Rules”). As per Rule 10 of “the 2020 Rules” (as amended in 2022), every Member of the State Commission and the President and Member of the District Commission shall hold office for a term of four years or upto the age of sixty-five years, whichever is earlier and shall be eligible for reappointment for another term of four years, subject to the age limit of sixty five years and such reappointment shall be made on the basis of the recommendation of the Selection Committee. The petitioner's tenure as Member is due to end on 23.03.2026. However, the petitioner is entitled to continue till the recruitment process under the New Rules to be notified and hence, the present Writ Petition for the aforesaid relief.

4. The learned counsel for the petitioner drew the attention of this Court to the decision of the Hon'ble Supreme Court in the case of ***Ganeshkumar Rajeshwarrao Selukar and Ors vs Mehendra Bhaskar Limaye and Ors reported in (2025) 8 SCC 634***, wherein directions with regard to the status of appointment to the post of Presidents and Members of the State and District Commissions has been issued. The relevant direction is as follows :



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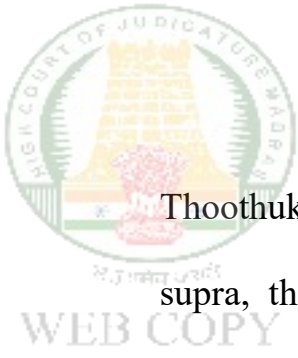
6. Non-Judicial Members of the State Commission and the Members of the District Commission, who have given the written examination and viva voce

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.

Thus, it is clear that in the event of completion of tenure before the completion of the recruitment process, petitioner's appointment shall be allowed to continue till the completion of recruitment process. Hence, he prayed to allow the Writ Petition.

5. The learned Additional Government Pleader for the 1st respondent submitted that the petitioner's tenure is over by 23.03.2026 and as such, he cannot be permitted to continue till the new recruitment to the post of Member of District Consumer Disputes Redressal Commission, Thoothukudi. However, he has not disputed the facts of the case and also fairly admitted the contentions put forth by the learned counsel for the petitioner.

6. In the case on hand, the petitioner was appointed as Member, District Consumer Disputes Redressal Commission, Thoothukudi on 21.03.2022. His tenure as per Rule 10 of the Rules, shall hold office for a term of four years or upto the age of sixty five years, whichever is earlier. Now, the petitioner's tenure is due to end on 23.03.2026. But so far, there is no recruitment to the post of Member, District Consumer Disputes Redressal Commission,



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Thoothukudi. In the light of the decision of the Hon'ble Apex Court as stated supra, the respondents are directed to permit the petitioner to continue the service as Member, District Consumer Disputes Redressal Commission, Thoothukudi, till the completion of recruitment process under the new Rules.

7. With the above direction, the Writ Petition stands disposed of. No costs.

13.02.2026

(6/9)

Note : Issue order copy on 16.02.2026

Index : Yes / No

Internet: Yes/No

Speaking Order/Non-Speaking Order

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To

1. The Principal Secretary to Government,
Department of Co- operation,
Food and Consumer Protection,
Government of Tamil Nadu,
Secretariat, Fort St. George,
Chennai- 600 009.

2. The Registrar
State Consumer Disputes Redressal
Commission,
TNPSC Road,
V.O.C. Nagar (Behind TNPSC),
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M.DHANDAPANI, J.

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