



WEB COPY

WP No.8010 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-02-2026

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THE HON'BLE MR JUSTICE M.DHANDAPANI

WP No. 8010 of 2026

M.Sivagami Selvi

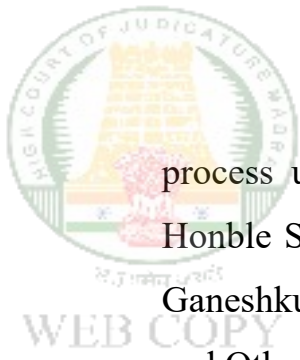
..Petitioner

Vs

1. The Principal Secretary to Government
Cooperation, Food and Consumer Protection
Department
Government of TamilNadu
Secretariat, Fort St. George
Chennai 600009.
2. The Registrar
State Consumer Disputes Redressal Commission
Frazer Bridge Road, V.O.C. Nagar
Park Town, Chennai 600003.

..Respondents

Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent to issue appropriate Government Orders extending the service of the petitioner and consequently directing the respondents to permit the petitioner to continue in service as Member, District Consumer Disputes Redressal Commission, Nagapattinam beyond 27.03.2026 with continuity of service, salary and all other attendant and concomitant service and pay benefits, until the completion of the recruitment



process under the new rules, in strict compliance with the judgment of the Honble Supreme Court in Civil Appeal No. 9982 of 2024 dated 21.05.2025 in Ganeshkumar Rajeshwarrao Selukar and others Vs.Mahendra Bhaskar Limaye and Others.

For Petitioner: Mr.R.Sureshkumar
for M/s.K.M.Vijayan Associates

For Respondents: Mr.M.Rajendiran
Additional Government Pleader

ORDER

This petition has been filed seeking a direction to the 1st respondent to issue appropriate Government Orders extending the service of the petitioner and consequently, directing the respondents to permit the petitioner to continue in service as Member, District Consumer Disputes Redressal Commission, Nagapattinam beyond 27.03.2026 with continuity of service, salary and all other attendant and concomitant service and pay benefits, until the completion of the recruitment process under the new rules, in strict compliance with the judgment of the Honble Supreme Court in Civil Appeal No. 9982 of 2024 dated 21.05.2025 in Ganeshkumar Rajeshwarrao Selukar and others Vs.Mahendra Bhaskar Limaye and Others.



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 has been selected as Member, District Consumer Disputes Redressal Commission, Nagapattinam through Government Order dated 18.03.2022 and appointed vide proceedings dated 21.03.2022 and took charge on 28.03.2022. The petitioner's recruitment and appointment were made in accordance with 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 (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 every 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 27.03.2026. 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.

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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:

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



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5. The learned counsel for the respondents would submit that the petitioner's tenure is over by 27.03.2026 and as such, she cannot be permitted to continue till the new recruitment to the post of Member of District Consumer Disputes Redressal Commission, Nagapattinam, 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, Nagapattinam, on 21.03.2022. Her 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 27.03.2026. But so far, there is no recruitment to the post of Member, District Consumer Disputes Redressal Commission, Nagapattinam. 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, Nagapattinam, till the completion of recruitment process under the new Rules.



7. With the above direction, the Writ Petition stands allowed. There shall be no order as to costs.

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Index: Yes/No

(11/11)

Speaking/Non-speaking order

Neutral Citation: Yes/No

Uma

To

1. The Principal Secretary to Government
Cooperation, Food and Consumer Protection
Department
Government of TamilNadu
Secretariat, Fort St. George
Chennai 600009.
2. The Registrar
State Consumer Disputes Redressal Commission
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