



WEB COPY

WA No. 1058 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-06-2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE N.SENTHILKUMAR

WA No. 1058 of 2026

and

CMP No. 10703 of 2026

The Principal Secretary
Civil Supply and Consumer Protection
Department,
Government of Tamil Nadu,
Secretariat,
Fort St.George,
Chennai - 009.

..Appellant(s)

Vs

1. K.N. Kamalnath
Door No.37A/160 Weavers Street,
Krishnagiri District and Taluk,
Pin - 635001.
2. The Registrar (FAC)
State Consumer Disputes Redressal
Commission,
Frazer Bridge Road,
VOC Nagar, (Behind TNPSC),
Park Town,
Chennai - 003.

..Respondent(s)

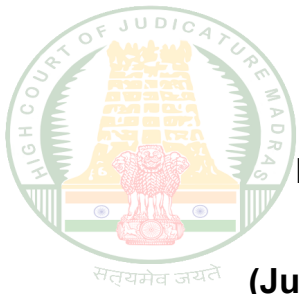
WA No. 1058 of 2026

Writ Appeal filed under Clause 15 of Letters Patent to set aside
the order dated 29.12.2025 passed in WP No.50722 of 2025 allow the present
Writ Appeal.

WA No. 1058 of 2026

For Appellant(s):

Dr.R.Gouri, Government Counsel



For Respondent(s): Ms.R.Nandhitha for R1

Judgment

(Judgment of the Court was delivered by S.M.Subramaniam J.)

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The State preferred the present intra Court Appeal challenging the writ order dated 29.12.2025 made in W.P.No.50722 of 2025.

2. The 1st respondent filed a writ petition seeking the relief to permit him to continue in service as Non-Judicial Member of District Consumer Disputes Redressal Forum, Nagapattinam.

3. The respondent was appointed on 21.03.2022. 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. The order impugned under challenge in the writ proceedings would show that the respondent had attained the age of 65 years and accordingly, relieved from the said post.

4. The issue in this regard has been decided by the Hon'ble Supreme Court in the case of ***GaneshKumar Rajeshwarrao Selukar & Ors vs. Mahendra Bhaskar Limaye & Ors*** reported in **(2025)8 SCC 6064**. The Apex Court has held that even if the Member attains the age of 65, he/she shall continue the office till the completion of the recruitment process as per the



new rules. Admittedly, the recruitment process has not been completed.

Relying on the judgment of the Hon'ble Supreme Court, the High Court of Madras also decided several cases on the same line permitting the Members of the District Consumer Disputes Redressal Forum to continue in the said post until the recruitment process is completed.

5. In view of the said position, the writ Court has allowed the 1st respondent to continue to act as a Member of the District Consumer Disputes Redressal Forum, Nagapattinam, till the completion of the recruitment process as per the new Rules. Since the writ order impugned is based on the principles laid down by the Hon'ble Supreme Court, no further interference is called for. Consequently, Writ Appeal stands dismissed. No costs. The connected miscellaneous petition is closed.

(S.M.S.,J.) (N.S.,J.)
10-06-2026

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

VSI
To

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