



W.P.(MD) No.793 of 2026

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date of Reserving the Order	Date of Pronouncing the Order
12.03.2026	30.04.2026

CORAM:

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.(MD) No.793 of 2026

and

W.M.P.(MD) Nos.656 & 660 of 2026

N.Pari

... 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 Additional Secretary to Government
Co-operation, Food and Consumer
Protection Department
Secretariat, Chennai-600 009
- 3.The Registrar
State Consumer Disputes
Redressal Commission
Franker Bridge Road
V.O.C.Nagar (Behind TNPSC)
Park Town, Chennai-600 003

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorarified mandamus calling for the records in the impugned relieving order issued by the third respondent in Rc.No.A1/1157/2025-1, dated 08.05.2025 and consequential impugned order passed by the second respondent in Letter No.efile/6390/H1/2025-2, dated 15.12.2025 and quash the same and consequently direct the respondents 2 & 3 to extend the tenure of the petitioner as President, District Consumer Disputes Redressal Commission, irrespective of his attainment of age of 65 years, in line with the orders of the Honourable Apex Court in Ganeshkumar Rajeswarrao Selukar and others vs. Mahindrabhaskar Limaya and others, dated 21.05.2025, till the new appointment is made as per New Rules to be notified.

For Petitioner : Mr.G.Prabhu Rajadurai
for Mr.K.Mu.Muthu

For Respondents : Mr.T.Pon Ramkumar
Central Govt. Senior Standing Counsel for R1
Mr.V.Om Prakash
Government Advocate for R2 & R3



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ORDER

The brief facts that are relevant for the disposal of this writ petition are as under:

1.1. The petitioner herein, who was retired as a District Judge, was appointed as the President of the District Consumer Disputes Redressal Commission, Madurai, on 30.04.2022 and later, he was transferred to the District Consumer Disputes Redressal Commission, Karur, on 27.10.2023. While the petitioner was working as such at Karur, the third respondent issued a proceedings bearing Rc No.A1/1157/2025-1, dated 08.05.2025, for relieving the petitioner from the post of President of the District Consumer Disputes Redressal Commission, Karur, on the afternoon of 14.05.2025 on he attaining the age of 65 years as per Rule 10(2) of 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. Accordingly, the petitioner was relieved from the said post on 14.05.2025.



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1.2. It was thereafter, the Honourable Apex Court delivered a Judgment dated 21.05.2025, in the case of ***Ganeshkumar Rajeshwarrao Selukar and others vs. Mahendra Bhaskar Limaye and others***, reported in ***(2025) 8 SCC 634***, dealing with the issues relating to the appointment of the Presidents and Members of the Consumer Forums in the State of Maharashtra and the State of Telangana. In the said decision, the Honourable Apex Court examined various other aspects, including the necessity of having a common set of Rules applicable to the Consumer Fora in all the States etc., and issued various general directions at Paragraph No.102 of the said decision. It was placing reliance on the said directions, the petitioner herein claims to have submitted a representation dated 02.06.2025 to the third respondent requesting for his continuation in the post of President of the District Consumer Disputes Redressal Commission, Karur, beyond the age of 65 years and till the new recruitment is undertaken under the new Rules to be notified by the Union of India. The said request of the petitioner was forwarded by the third respondent to the second respondent and the same was rejected by the second respondent through proceedings dated



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2. Heard Mr.G.Prabhu Rajadurai, learned counsel representing Mr.K.Mu.Muthu, learned counsel on record for the petitioner; Mr.T.Pon Ramkumar, learned Central Government Senior Standing Counsel, appearing for the first respondent and Mr.V.Om Prakash, learned Government Advocate, appearing for the respondents 2 & 3.

3. Learned counsel for the petitioner contended that in terms of the summary of the reliefs that were granted by the Honourable Apex Court in **Ganeshkumar Rajeshwarrao Selukar**'s case, especially at Sub-Paragraph No.4 of Paragraph No.102, in specific the relief No.3, the petitioner is entitled to continue in the post of President of the District Consumer Disputes



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Redressal Commission till the recruitment process under the new Rules to be notified is completed for filling up the post of President of the District Consumer Disputes Redressal Commission at Karur. He also further submitted that a Coordinate Bench of this Court under an identical circumstances also passed orders directing for continuation in service in W.P.No.42628 of 2025 and W.P.No.39089 of 2025, vide orders dated 11.11.2025 and 27.11.2025 respectively. He also further contended that the above orders of the Coordinate Bench of this Court have been followed by the another Coordinate Bench of this Court in W.P.No.50722 of 2025, vide order dated 29.12.2025. Thus, he contended that the petitioner is entitled to continue in service notwithstanding the fact that the petitioner has attained the age of 65 years, but, the respondents 2 and 3 have erroneously relieved the petitioner from service and refused to give effect to the decision of the Honourable Apex Court in **Ganeshkumar Rajeshwarrao Selukar's** case.

4. On the other hand, learned counsel appearing for the respondents, contended that the petitioner has attained the age of 65 years and he was relieved from service on 14.05.2025 much before the decision of the Honourable Apex Court, which was rendered on 21.05.2025 and therefore, the petitioner is not entitled for the relief granted in the said decision. They



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also further contended that in terms of the said decision, the Honourable Apex Court made it clear that the said decision shall apply prospectively, except to the extent indicated in the directions therein. Therefore, according to the learned counsel appearing for the respondents, there was no direction issued that would be applicable to the case of the petitioner herein and therefore, the petitioner is not entitled for any relief and the second respondent has rightly passed the impugned order dated 15.12.2025 rejecting the case of the petitioner. Insofar as the proceedings dated 08.05.2025 is concerned, according to the learned counsel appearing for the respondents, the same was rightly issued by the third respondent strictly in accordance with the rules.

5. This Court has carefully considered the submissions made on either side and also perused the entire materials on record.

6. The entire basis for the petitioner to seek relief in the present writ petition is Relief No.3 granted in Sub Paragraph No.4 of Paragraph No.102 of the decision rendered in **Ganeshkumar Rajeshwarrao Selukar's** case. For better appreciation, it is necessary to take note of all the reliefs that were granted under Sub Paragraph No.4 of Paragraph No.102 of the said decision, which reads as under:



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“4) As regards the status of appointment to the posts of Presidents and Members of the State and District Commissions, we are pleased to issue the following directions:

SUMMARY OF THE RELIEFS:

	<i>Category of Persons Relief</i>	<i>Category of Persons Relief</i>
1.	<i>Persons appointed as Members of the State Commission and Presidents and Members of the District Commission in the State of Maharashtra, vide order dated 05.10.2023 pursuant to the written examination and viva voce.</i>	<i>They shall be allowed to complete their tenure in entirety. 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.</i>



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2.	<i>Persons seeking reappointment in the State of Maharashtra, after their services had been terminated vide order dated 06.10.2023.</i>	<i>They can be considered for reappointment in the State and District Commissions, based on the new Rules to be notified, subject to the condition that persons seeking reappointment to the posts of President and Judicial Members of the State Commission and President of the District Commission, shall not be required to undergo a written examination followed by a viva voce, while Non-Judicial Members of the State and District Commissions, shall be required to undergo a written examination followed by a viva voce. The writ petitions pending before the High Court of Bombay challenging the said termination order of the State of Maharashtra dated 06.10.2023, will have to be decided in terms of this judgment and larger principles of law.</i>
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3.	<i>Presidents and Members of the State and District Commissions who have been appointed and serving prior to Limaye - I (supra).</i>	<i>They shall be allowed to complete their tenure in entirety. 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.</i>
4.	<i>Presidents of the State and District Commissions, and the Judicial Members of the State Commission, in other States, with/without having given the written examination followed by a viva voce.</i>	<i>(a) Those who are appointed and serving shall be allowed to complete their tenure in entirety. 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.</i> <i>(b) Those who have been selected, but not appointed, on account of the concerned States having stayed the appointment process during the pendency of these appeals, shall be appointed to the respective post, and shall be allowed to continue in office till the entirety of their tenure.</i>



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5.	<i>Persons who are selected to the posts of Non-Judicial Members of the State Commission and Members of the District Commission, without having undergone a written examination followed by a viva voce.</i>	<i>(a) If already appointed and serving:</i> <i>(i) In case the selection process had been completed prior to the decision of this Court in Limaye - I (supra), such persons shall be entitled to complete their tenure in entirety. 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.</i> <i>(ii) In case the selection process has been completed post the decision of this Court in Limaye - I (supra), such persons shall be entitled to continue in their respective posts till the completion of the recruitment process under the new Rules to be notified.</i> <i>(b) If selected but not appointed, such persons shall not be entitled to be appointed.</i>
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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. (b) If selected, but not appointed, on account of the State having stayed the appointment process during the pendency of these appeals, such persons shall be appointed to the respective posts, and shall be allowed to continue in office for the entirety of their tenure.
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7.	Persons seeking reappointment in other States after termination of their services.	They can be considered for reappointment in the State and District Commissions, based on the new Rules to be notified, subject to the condition that persons seeking reappointment to the posts of President and Judicial Members of the State Commission and President of the District Commission, shall not be required to undergo a written examination followed by a viva voce, while Non-Judicial Members of the State and District Commissions, shall be required to undergo a written examination followed by a viva voce.
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We make it clear that for all those appointments which have been allowed to continue vide this Judgment, the tenure shall be a period of 4 years. Such persons shall not be entitled to claim the benefit of this Judgment qua a five-year tenure, subject to the directions issued hereinabove. We also make it clear that this Judgment shall apply prospectively, except to the extent indicated in the directions hereinabove.”



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7. As seen from relief No.3, the same would enable the Presidents and Members of the State and District Commissions to complete their tenure in entirety. In case if their tenure ends before 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.

8. In the instance case, the tenure of the petitioner has come to an end on 14.05.2025 itself i.e., prior to the date of the above said decision of the Honourable Apex Court. Thus, the petitioner was not in service as on 21.05.2025, the date of the said decision of the Honourable Apex Court. Therefore, the question of continuing the appointment of the petitioner till the completion of the recruitment process under the new Rules to be notified does not arise. In no part of the reliefs granted by the Honourable Apex Court in the said decision, any direction was issued for reinstating the Presidents or Members, who were already relieved from service. Further, from the cumulative reading of the reliefs granted by the Honourable Supreme Court in the said decision, it would appear that the reliefs that were granted in Serial Nos.1 to 3 are all in respect of the State of Maharashtra and from Serial No.4 onwards are only general in nature. The same is evident from the category of



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persons mentioned at Serial No.4, which specifically makes a reference to the Presidents of the State and District Commissions and the Judicial Members of the State Commission in **“Other States”**. Therefore, it has to be construed that the reliefs granted from Serial No.4 onwards are all only in respect of other States i.e., the States, who are not before the Honourable Apex Court in **Ganeshkumar Rajeshwarrao Selukar's** case.

9. Be that as it may, as seen from the last portion of Paragraph No.102 of the said decision, which is extracted herein above, the Honourable Apex Court made it clear that the said Judgment shall apply prospectively, except to the extent indicated in the directions therein. Absolutely, there is no direction that would come to the rescue of the petitioner herein so as to enable him to be reinstated into service and to permit him to continue beyond the age of 65 years. Therefore, in the considered view of this Court, the petitioner is not entitled to continue as President of the District Consumer Disputes Redressal Commission beyond the age of 65 years.

10. Then, coming to the orders passed by the Coordinate Benches of this Court in W.P.No.42628 of 2025 and W.P.No.39089 of 2025, dated 11.11.2025 and 27.11.2025 respectively, are concerned, the petitioners



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therein have been continuing in service as on 21.05.2025 i.e., the date on which the Honourable Apex Court rendered it's decision in **Ganeshkumar Rajeshwarrao Selukar's** case. Therefore, the petitioner herein, who was already relieved on 14.05.2025, cannot compare himself with the petitioners in the said writ petitions.

11. Then coming to the order dated 29.12.2025, passed in W.P.No.50722 of 2025 by another Coordinate Bench of this Court is concerned, a perusal of the said order would disclose that the said order was passed by considering the submissions made therein on the ground that the said case was similar to the case of the petitioners in W.P.No.42628 of 2025 and W.P.No.39089 of 2025. But, the fact remains that the petitioner in W.P.No.50722 of 2025 was relieved from service on 30.12.2024 i.e., much prior to the decision of the Honourable Apex Court in **Ganeshkumar Rajeshwarrao Selukar's** case. But, the same was mis-represented before the learned Judge and the learned Judge was carried away by the said mis-representation and has granted the relief. This Court, having taken note of the same, is of the considered view that the same view cannot be repeated by this Court in the present writ petition also, especially after having taken note of the same.



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12. In the light of the above, the claim of the petitioner as made in the present writ petition is totally mis-conceived and this Court absolutely does not find any error or illegality in both the impugned orders passed by the respondents 2 and 3. Accordingly, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

30.04.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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To:

1.The Additional Secretary to Government,
Co-operation, Food and Consumer
Protection Department,
Secretariat, Chennai-600 009.

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



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MUMMINENI SUDHEER KUMAR, J.

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ORDER
IN
W.P.(MD) No.793 of 2026
and
W.M.P.(MD) Nos.656 & 660 of 2026

30.04.2026