

**IN THE HIGH COURT OF KERALA AT ERNAKULAM  
PRESENT**

**THE HONOURABLE MR.JUSTICE N.NAGARESH**

**Thursday, the 12<sup>th</sup> day of March 2026 / 21st Phalguna, 1947**

**WP(C) NO. 8823 OF 2026(C)**

**PETITIONER:**

**MOHAMED ISMAYIL C.V AGED 53 YEARS S/O ABDUL KADER, MEMBER, DISTRICT  
CONSUMER DISPUTES REDRESSAL COMMISSION, MALAPPURAM, RESIDING AT  
CHERUVALAPPIL, PALAKKAL, KODUR P.O, MALAPPURAM, PIN - 676504**

**RESPONDENTS:**

- 1. UNION OF INDIA, REPRESENTED BY SECRETARY, MINISTRY OF CONSUMER  
AFFAIRS, FOOD AND PUBLIC DISTRIBUTION, KRISHI BHAWAN, NEW DELHI, PIN  
- 110001**
- 2. STATE OF KERALA, REPRESENTED BY SECRETARY, CONSUMER AFFAIRS  
DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM, PIN - 695001**

Writ petition (civil) praying inter alia that in the circumstances stated in the affidavit filed along with the WP(C) the High Court be pleased to issue an interim direction to the 2nd respondent to allow the petitioner to continue as Member, District Consumer Dispute Redressal Commission, Malappuram till the introduction and notification of new rules by the 1st respondent pursuant to the Judgment of Hon'ble Supreme Court in Ganeshkumar Rajeshwarro Selukar Vs. Mahendra Bhaskar Limaye (2025 KHC 6529), pending the disposal of this Writ Petition.

This petition coming on for admission upon perusing the petition and the affidavit filed in support of WP(C) and upon hearing the arguments of M/S.S.MOHAMMED AL RAFI & THAJUNA MARIA FRANCIS Advocates for the petitioner, SRI.PARSHATHY S.R., CENTRAL GOVERNMENT COUNSEL for respondent 1 and of GOVERNMENT PLEADER for respondent 2, the court passed the following:

**N. NAGARESH, J.**

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*Dated this the 12<sup>th</sup> day of March, 2026*

## **ORDER**

The petitioner is functioning as Member, District Consumer Disputes Redressal Commission, Malappuram. The petitioner submits that the rules as directed by the Hon'ble Supreme Court in the case of ***Ganeshkumar Rajeshwarrao Selukar and others v. Mahendra Bhaskar Limaye and others*** [(2025) 8 SCC 634] have yet to be framed by the State Government and new recruitment process is yet to commence. While the said aspect is pending with the State Government. The tenure of the petitioner ends on 21.03.2026.

2. Supreme Court in similar case of Urmila Verma v. State of Rajasthan and another arising out of SLP(C) No.36217 of 2025, decided on 19.01.2026 whereby the Supreme Court passed the following order:

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“1. Leave granted.

2. This appeal has been filed against an interim order dated 28.11.2025 passed by the High Court of Judicature for Rajasthan, declining interim protection to the appellant to continue as Member (Judicial) of the State Consumer Disputes Redressal Commission, notwithstanding the judgment of this Court in ***Ganeshkumar Rajeshwarrao Selukar v. Mahendra Bhaskar Limaye*** [2025 SCC Online SC 1193].

3. After hearing learned counsel for the parties, as an interim measure, we deem it appropriate to direct that the appellant be reemployed as a Member (Judicial) of the State Consumer Disputes Redressal Commission forthwith. Ordered Accordingly.

4. It is further clarified that the appellant upon reappointment shall be deemed to be continued uninterruptedly with effect from 01.12.2025 till the fresh recruitment is made and/or the rules are suitably amended by the State Government in consultation with the High Court. The remaining issues will be examined by the High Court in the pending writ petition.”

3. Following the interim order, there will be an interim order in this writ petition also directing that the petitioner shall be allowed to continue in the post uninterruptedly till the fresh recruitment is made after the rules are suitably amended. The petitioner shall not be relieved from his office from 21.03.2026.

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4. Respondents to file counter affidavit, if any, within three weeks.

Post on 09.04.2026.

Sd/-  
**N. NAGARESH**  
**JUDGE**

SR

