



W.A(MD)No.91 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 16.06.2025

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

W.A(MD)No.91 of 2023

A.Ajikumar

... Appellant /
Petitioner

Vs.

1.The Commissioner,
Hindu Religious and Charitable
Endowments Department,
Nungambakkam,
Chennai.

2.The Joint Commissioner,
Kanyakumari District Temples,
Hindu Religious and Charitable
Endowments Department,
Suchindram,
Kanyakumari District.

... Respondents /
Respondents

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent to call for the records pertaining to the impugned order reserved on 17.10.2022 and delivered on 12.12.2022, passed by the learned single Judge in W.P(MD)No.6515 of 2017 insofar as para 17(a) alone and set aside the same and allow the Writ Appeal.



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For Appellant : Mr.C.Kishore

For Respondents : Mr.P.Subbaraj

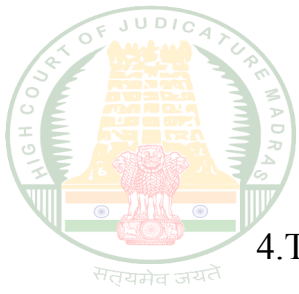
JUDGMENT

(Judgment of the Court was made by **G.R.Swaminathan J.**)

Heard both sides.

2.The appellant herein is a temple employee. He was working in Arulmigu Shree Krishnaswamy Temple, Puliyoorsalai as Watchman in the year 2017. He was transferred from the said temple to Suchindram Temple and then to Thirupparappu and then to Puliyoorsalai and again to Ponmalai. Thus as many as 4 transfer orders were successively visited on the appellant. Challenging the same, the appellant filed W.P(MD)No.6515 of 2017. The Writ Petition was taken up along with few other writ petitions. The writ petitions were disposed of by the learned single Judge by a common order. The appellant was posted as Watchman in Arulmigu Mahadevar Temple, Thirupparappu. Challenging the order of the learned single Judge, this Writ Appeal has been filed.

3.Even though very many contentions were urged on either side, the issue can be resolved on a short and narrow ground.



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4.The learned counsel for the appellant contended that the post of Watchman during the relevant time was not a transferable post. Of course, in the year 2020, statutory Rules were issued and Rule 17 provides for transfer of any temple employee subject to certain conditions.

5.The transfer orders in this case were passed prior to the promulgation of 2020 Rules. Since we are satisfied that during the relevant time, the post of watchman was not a transferable post, the orders impugned in the Writ Petition are set aside. The order of the learned single Judge is also set aside. Thiru.A.Ajikumar shall be posted as watchman in Arulmigu Shree Krishnaswamy Temple, Puliyoorsalai.

6.This Writ Appeal is allowed accordingly. There shall be no order as to costs.

[G.R.S., J.] [K.R.S., J.]
16.06.2025

NCC : Yes / No
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G.R.SWAMINATHAN, J

and

K.RAJASEKAR, J.

MGA

To

- 1.The Commissioner,
Hindu Religious and Charitable
Endowments Department,
Nungambakkam,
Chennai.
- 2.The Joint Commissioner,
Kanyakumari District Temples,
Hindu Religious and Charitable
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