



W.A.No.385 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.02.2026

CORAM

**THE HONOURABLE MR.JUSTICE R.SURESH KUMAR
and
THE HONOURABLE MR.JUSTICE SHAMIM AHMED**

**W.A.No.385 of 2026
and
C.M.P.No.3513 of 2026**

Karthick

... Appellant

-Vs-

1. The Chairman,
Arangavalarkuzhu (Board of Trustees),
Sri Kalikambal Devasthanam,
Thambu Chetty Street,
George Town,
Chennai – 600 001.

2. The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Nungambakkam,
Chennai – 600 034.

... Respondents

PRAYER : Appeal filed under Clause XV of Letters Patent, against the order dated 19.11.2025 in W.P.No.43647 of 2025.



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For Appellant : Mr.R.Singaravelan, Senior Counsel
for Mr.V.S.Jagadeesan

For Respondents : Mr.N.R.R.Arun Natarajan
Special Government Pleader

J U D G M E N T

(Judgment of the Court was delivered by **R.SURESH KUMAR, J.**)

This intra-Court appeal has been directed against the order dated 19.11.2025 made in W.P.No.43647 of 2025.

2.The appellant was the writ petitioner, who was working as Archakar Grade-II in the first respondent Temple which is under the control of Hindu Religious and Charitable Endowments Department. While that being so, there has been a criminal case registered against the appellant / petitioner for the alleged offences punishable under Sections 417, 354A, 294(b), 312, 506(i) IPC and 67A of Information Technology Act, 2000. Subsequently, FIR has been altered by deleting Section 354A IPC and substituting Section 376(1) IPC.

3. Pursuant to the said registration of FIR in Crime No.15 of 2024 on the file of All Women Police Station, Virugambakkam, the appellant / petitioner was suspended, by order dated 15.05.2024 passed by the first respondent



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Devasthanam, pursuant to the resolution passed in this regard to keep him under suspension till the completion of the criminal trial.

4. As there has been a prolonged suspension with effect from 15.05.2024, having waited for more than a year, the appellant / petitioner had approached the writ Court by filing the said writ petition to quash the suspension order dated 15.05.2024.

5. The writ Court having considered the factual matrix was not inclined to interfere with the suspension order stating that since there has been FIR filed against him for serious allegations and therefore, since the same is pending trial or investigation, it cannot be interfered with the suspension order and no certiorari can be issued, was the answer given by the writ Court through the impugned order dated 19.11.2025.

6. Aggrieved over the said order, the present intra-Court appeal since has been filed, Mr.R.Singaravelan, learned Senior Counsel appearing for the appellant / petitioner would contend that, as per Rule which is in vogue, the suspension order passed by the authority concerned is subjected to review periodically within a period of six months or every six months. No such review



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since has been made and the very suspension order since has been issued as if that it would be forever till the completion of the trial by the criminal Court that would go or run contra to the Rules, namely, Tamil Nadu Civil Services (Discipline and Appeal) Rules, by Rule No.17(e)(6), therefore, the learned Senior Counsel seeks indulgence of this Court against the order passed by the writ Court.

7. On the other hand, Mr.N.R.R.Arun Natarajan, learned Special Government Pleader appearing for the respondent HR&CE Department has pointed out that, the first respondent or the Board of Trustees are empowered to inflict any punishment including placing every staff under suspension and if any fine is imposed or suspended or removed or dismissed, the staff may prefer an appeal to HR&CE Department, i.e., Joint Commissioner or Deputy Commissioner as the case may be under Sub-section 2 of Section 56 of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959 (hereinafter referred to as 'HR&CE Act'). Therefore, the learned Special Government Pleader would submit that, as of now, the Department does not have any role unless the appellant / petitioner preferred an appeal against the order of suspension construing it as one of the suspension within the meaning of Section 56 of HR&CE Act and if any such appeal is preferred under



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Sub-section 2 of Section 56, that would be considered on merits and orders would be passed by the Joint Commissioner or Deputy Commissioner as the case may be, he contended.

8. Having considered the said submissions made by the learned counsel appearing for both sides and after having perused the materials placed before this Court, especially, in the context of the legal position, we are inclined to dispose of this writ appeal with the following orders:

(i) that the order impugned before the writ Court dated 15.05.2024 placing the appellant / petitioner under suspension can only be agitated by way of appeal before HR&CE Department, i.e., Deputy Commissioner or Joint Commissioner as the case may be within the meaning of Sub-section 2 of Section 56 of HR&CE Act. When that being the position, it is open to the appellant / petitioner to prefer such an appeal if he is advised to do so to the Joint Commissioner or Deputy Commissioner, i.e., second respondent against the order of suspension dated 15.05.2024 and if any such appeal is filed, the same shall be considered and decided on merits and in accordance with law as early as possible uninfluenced by any of



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the observations that have been made by the writ Court through the impugned order dated 19.11.2025 made in W.P.No.43647 of 2025 within a reasonable time.

(ii) The limitation period of one month to prefer an appeal within the meaning of Sub-section 2 of Section 56 shall not stand in the way in case if the appellant / petitioner prefers an appeal within a period of fifteen days from the date of receipt of a copy of this judgment.

9. With these directions, this Writ Appeal is accordingly ordered. However, there shall be no order as to costs. Connected miscellaneous petition is closed.

(R.S.K., J.) (S.S.A., J.)
18.02.2026

NCC : Yes / No
Index : Yes / No
Speaking Order : Yes / No

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To

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