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W.A.No.3776 of 2025

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 08.01.2026**

**CORAM**

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

**W.A.No.3776 of 2025  
and  
C.M.P.No.31201 of 2025**

1. The State of Tamil Nadu,  
Represented by its  
Additional Chief Secretary to Government,  
Tourism, Culture and Endowments Department,  
Secretariat,  
Chennai – 600 009.
  2. The Commissioner,  
Hindu Religious and Charitable Endowments Department,  
Chennai – 34.
- ... Appellants

**-Vs-**

N.Aravazhi ... Respondent

**PRAYER :** Appeal filed under Clause XV of Letters Patent, against the order dated 23.08.2022 in W.P.No.1794 of 2015.

For Appellants : Mr.K.Karthikeyan  
Government Advocate



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## J U D G M E N T

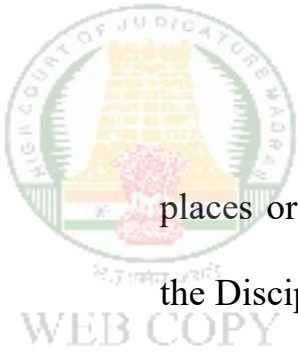
(Judgment of the Court was delivered by **R.SURESH KUMAR, J.**)

This intra-Court appeal has been directed against the order dated 23.08.2022 made in W.P.No.1794 of 2015.

2. The respondent was working as Executive Officer at the appellant Department. While he was working in Thiyagaraja Swamy Temple, Thirukkaravasal, Thiruvarur Taluk as Executive Officer, he was in-charge of 17 + 15 temples, totally 32 temples in the District, only on the basis of turn duty, he visits all those temples.

3. While that being so, a charge memo dated 27.11.1992 has been issued against him and he has given an explanation. Not satisfying with the same, disciplinary proceedings were initiated and ultimately, in the disciplinary proceedings, the charges framed against him were held to be proved.

4. Except Charge No.4, all other charges are minor in nature. Even in respect of Charge No.4, i.e., theft of an idol, but subsequently it was retrieved and moreover, since the writ petitioner delinquent was in-charge of 32 temples, it was a herculean task to look after all 32 temples by him located in different



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places or different villages, therefore, this position having been considered by the Disciplinary Authority, he had imposed the minor punishment of stoppage of increment for two years without cumulative effect.

5. Aggrieved over the same, the writ petitioner delinquent had preferred an appeal before the Appellate Authority, i.e., State who wanted to enhance the punishment, therefore, after issuing the show cause notice and after getting an explanation from the write petitioner delinquent, the first appellant, i.e., State enhanced the punishment on 12.01.2015 by imposing the punishment of compulsory retirement from service though the writ petitioner delinquent was due to retire on 31.01.2015.

6. As against the said order of enhancement of punishment, the present writ petition has been filed.

7. The writ Court having considered these factual matrix, especially in the context of the delinquent was in-charge of 32 temples located in 32 different places and also having taken note of the nature of the charges as except Charge No.4, all other charges were minor in nature and even in respect of 4<sup>th</sup> charge, i.e., idol theft, subsequently it was found out and retrieved, the lenient view taken by the Disciplinary Authority in imposing the punishment of withholding



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the increment for two years without cumulative effect was a justifiable one.

When that being so, even though there has been a power vested with the Appellate Authority to enhance the punishment, this is not a case where such major punishment is warranted was the view expressed by the learned Judge taking into account of the factual matrix as has been reflected in the order impugned, we are in complete agreement with the writ Court.

8. As the writ petitioner delinquent was in-charge of 32 temples located in 32 different places, the entire blame cannot be fastened on the shoulders of the writ petitioner alone and all other charges except Charge No.4 since being minor charges and even in respect of 4<sup>th</sup> charge, i.e., idol theft since has been retrieved, such major punishment by way of enhancement of punishment imposed by the Appellate Authority, i.e., first appellant herein, in our considered view, is totally unwarranted and therefore, the interference shown by the writ Court, of course rightly, is to be accepted.

9. In that view of the matter, this Court is not inclined to entertain the present appeal, as a result of which, the writ appeal fails and hence, it is dismissed. As a sequel, there shall be a direction to the appellant Department to settle all retirement benefits and pensionary benefits payable to the respondent / writ petitioner if not already been paid, within a period of two months from the



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date of receipt of a copy of this judgment and as per the entitlement of the respondent / writ petitioner, his pension shall be calculated with arrears and be paid continuously till his lifetime.

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

(R.S.K., J.) ( S.S.A., J.)  
08.01.2026

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

vji

To

1. The Additional Chief Secretary to Government,  
State of Tamil Nadu,  
Tourism, Culture and Endowments Department,  
Secretariat,  
Chennai – 600 009.
2. The Commissioner,  
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