



W.P.(MD)No.1476 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.03.2026

CORAM:

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.(MD)No.1476 of 2026

and

W.M.P.(MD)No.1162 of 2026

M.Govindarajan

... Petitioner

-VS-

- 1.The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Mayiladudurai.
- 2.The Assistant Commissioner,
Hindu Religious and Charitable Endowment Department,
Kumbakonam,
Thanjavur District.
- 3.The Fit Person / Thakkar,
Arulmighu Prasanna Vengadachalapathi Swamy Temple,
Veppathur, Thiruvudaimarudur Taluk,
Thanjavur District,
Also Holding the Post of Executive Officer,
Arulmighu Thenupurishwarar Thirukovil,
Patteeswaram,
Kumbakonam Taluk,
Thanjavur District.

... Respondents



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PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari calling for the records relating to the impugned order in proceedings Se.Mu.na.Ka.No.02/2025 dated 08.01.2026 passed by the third respondent and quash the same as illegal.

For Petitioner	:	Mr.AN.Ramanathan
For R1 and R2	:	Mr.J.K.Jayaselan Government Advocate
For R3	:	Mr.V.Chandrasekar
For Intervenor	:	Mr.Niranjan Rajagopalan

ORDER

The writ petition has been filed challenging the impugned order dated 08.01.2026, by which the petitioner was relieved from his duties as Archakar of Arulmigu Vengadachalpathi Swamy Thirukoil, Thiruvudaimarudur Taluk, Thanjavur District.

2. Upon hearing the learned counsel for the petitioner and perusing the records, the grievance of the petitioner is that he had been performing Poojas in the temple pursuant to his appointment by the Trustee. According to him, while



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proceedings were initiated against the Trustee, without issuing any notice to the petitioner or affording him an opportunity of hearing, he has also been removed from service.

3. It is contended that the impugned order casts a grave stigma upon the petitioner. Placing reliance on Section 56 of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959, it is submitted that no punishment can be imposed upon an office holder or servant of a temple without affording due opportunity and conducting a proper enquiry. Therefore, insofar as the petitioner is concerned, the impugned order is liable to be quashed.

4. Per contra, the learned Government Advocate appearing for the respondents 1 and 2 would submit that while action was contemplated against the non-hereditary trustees, reference was also made to the Archakar. However, upon verification, it was found that the petitioner is a retired teacher drawing pension and has crossed 60 years of age. Since he had already reached the age of superannuation, he was simply discharged from service and, therefore, no enquiry was necessary.



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5. The learned counsel appearing on behalf of the Temple would also submit that even at the time of appointment, the petitioner was above 60 years of age and was wrongly engaged in pooja activities, and hence, the order relieving him from duty was passed.

6. When the matter was being heard, *Mr.Niranjan Rajagopalan*, learned counsel, sought to intervene on behalf of a Trust interested in the affairs of the temple.

7. I have considered the rival submissions and perused the materials on record.

8. A perusal of the impugned order shows that the finding therein is that the petitioner is overaged. The learned counsel for the petitioner fairly submits that the petitioner was above the prescribed age even at the time of his appointment. Merely because the petitioner was erroneously appointed as Archakar despite having crossed the age limit, and when it is not his case that the rule relating to superannuation or upper age limit is inapplicable to him, such erroneous appointment would not render the impugned order illegal.



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9. Once it is found that the petitioner has crossed the age of superannuation and is not eligible to continue in service, no exception can be taken to the order relieving him from duty. The principles of natural justice and the requirement of conducting an enquiry would arise only when a punishment is sought to be imposed. In the present case, the impugned order does not impose any punishment, nor can it be construed as casting any stigma upon the petitioner.

10. In view of the above, the prayer sought for in the writ petition cannot be granted. Accordingly, the writ petition stands disposed of with the observation that the impugned order shall not be construed as casting any stigma upon the petitioner. No costs. Consequently, connected Miscellaneous Petition is closed.

04.03.2026

Neutral Citation : Yes / No
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