



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-02-2026

CORAM

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

WP No. 7085 of 2026

A. Radhakrishnan

..Petitioner

Vs

1. The Secretary to Government,
Tourism Culture and Endowments Department,
Secretariat, Chennai - 600 009.
2. The Commissioner,
Hindu Religious and Charitable
Endowments Department,
119, Nungambakkam High Road,
Chennai - 600 034.
3. The Director,
Hindu Religious and Charitable
Endowments Auditing Wing,
Teynampet, Chennai-600 018.
4. The District Executive Magistrate/
District Collector,
Salem Town - 636 001.
5. The Superintendent of Police,
Nethimedu,
Salem - 636 002.
6. The Joint Commissioner,
Hindu Religious and Charitable
Endowments Department,
Nethimedu, Salem - 636 002.
7. The Fit Person/Present Administrator/
Hereditary Trustee,
Arulmigu Kottai Mariamman Temple
Omalur Town - 636 455, Salem District.



8. The Executive Officer,
Arulmigu Kottai Mariamman Temple,
Omalur Town - 636 455, Salem District.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Mandamus, directing the respondents to consider the petitioner's representations dated 12.01.2026 and 18.02.2026

For Petitioner: Mr.R.Marudhachalamurthy

For Respondent: Mr.N.R.R.Arun Natarajan
Special Government Pleader
For R1 to R3, R6 & R8

Mr.A.M.Ayyadurai, Government Advocate for R4

Mr.J.Subbaiah
Government Advocate (Crl.Side) for R5

Ms.R.Poornima for R7

ORDER

The prayer in the writ petition is to consider the petitioner's representations dated 12.01.2026 and 18.02.2026.

2. Upon hearing the learned counsel for the petitioner and perusing the material records of the case, the petitioner's grievance is twofold; firstly, he prays that for the ensuing 'Masi' festival that is happening between 11.03.2026 and 13.06.2026, proper arrangements for all the devotees, including toilet facilities, collection of the solid waste that is generated, keeping the temple premises clean, safety measures and proper ingress and egress and all facilities



for all the devotees to worship the deity should be made. The second submission that is made is with reference to the regulation of the temporary shops that may come up during the festival.

3. When the matter came up for hearing, *Mr.N.R.R.Arun Natarajan*, the learned Special Government Pleader appearing for the respondents 1 to 3, 6 & 8 would submit that due arrangements will be made, as the temple is a popular temple and thousands of devotees throng during the festival. All the requisite arrangements for putting up extra toilets, managing solid waste, etc., will be made. Public awareness will be created among the devotees not to litter and all the safety concerns of the devotees will also be taken care of. Adequate police protection will also be given for the safety of the devotees. As far as the shops are concerned, as per the rule, to enhance transparency, the shops have to be allotted by way of tender. For the present tender, there is only one single bidder and therefore the temple authorities are directed to go for a fresh tender.

4. *Ms.R.Poornima*, the learned counsel taking notice on behalf of the respondent No. 7 / Hereditary Trustee would submit that it is true that the festival will be conducted with due observance of all the rituals and all the arrangements for the devotees will be made. As far as the tender is concerned, the Hindu Religious and Charitable Endowments (HR & CE) authorities are not cooperating and they are only upon external interferences, this year there are no



takers for the tender.

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5. I have considered the rival submissions made on either side and perused the material records of the case.

6. As far as the festival is concerned, the submissions made on behalf of the Hindu Religious and Charitable Endowments Department and also on behalf of the Hereditary Trustees that they will make arrangements for the toilet and other solid waste management disposal facilities during the festival are recorded. Wherever due regulation has to be done to regulate the devotees so that they will form queues and worship the deity, it can be made. Due safety measures has to be undertaken, especially with reference to the temporary electrical installations, etc. Provision to provide drinking water facilities can be looked into by the temple and the authorities. The safety of the devotees shall be taken care of. The representations made are recorded.

7. Regarding the auctioning of temporary shops, temple festivals are not only rituals relating to the *bhakti* but also have great cultural and social value. The small vendors and sellers of native products assemble there. To have transparency is good. But in the name of tendering, high value should not be fixed so as to exclude these ordinary vendors. A small weaver who wants to sell the saree should be in a position to sell the same. An ordinary shopkeeper who



wants to sell eatables like *Pori*, *Kadalai*, etc., should be given preference. If everything is tendered, all the plastic-wrapped corporate products will only find place and the festival will lose its cultural essence. Therefore, due care must be taken by the HR & CE authorities as well as the temple authorities not to view the auctioning of shops as a great source of income, but only as a matter to regulate and to provide equal opportunities to small vendors, native products, indigenous persons, widows and women entrepreneurs. The tribal and other persons who want to sell their art products should all be encouraged. Therefore, while tendering, the base price should be appropriately fixed so that it does not become a field only for organised and developed business to take part in the same. The original soul of the temple *Thiruvizha* should be preserved, which should not be lost in the name of transparency and tendering. Due importance shall be given by the Hereditary Trustee as well as the HR & CE authorities in respect of the same. An old woman who has been selling her product for 40 years in the *Thiruvizha* should not now suddenly be displaced or put to disadvantage on account of this tender. Adequate care must be taken to preserve the cultural flavour of the temple *Thiruvizha* so that the ordinary and the street vendors and the local economy which is dependent on the *Thiruvizha* be encouraged. Let the re-tender be conducted; however, it must be seen that it should not be exclusionary for any sector. The HR & CE authorities as well as the Hereditary Trustee shall cooperate with each other and let the tender proceedings be completed at the earliest and the festival be conducted with due



observance of all rituals and with the cooperation of everyone.

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8. As far as the temple properties are concerned, the HR & CE authorities shall take into consideration the representation. They can issue notice to the petitioner as well as the Hereditary Trustee. First, the exercise of enumerating the temple properties be undertaken. Thereafter, what is their status, whether it is encroached or whether any suit is pending, etc., can be verified with the help of the Hereditary Trustee. Thereafter, if any action has to be undertaken to restore the revenue records, to evict any tenant who is not paying the rent or to evict the encroachers, etc, the same shall be undertaken. If any suit is pending, steps to expedite the suits can be undertaken and all the movable and immovable properties of the temple be safeguarded in the manner known to law. Needless to mention that the Hereditary Trustee shall cooperate in the enquiry by giving all the details of the properties of the temple.

9. With the above observations and directions, the writ petition stands disposed of. No costs.

23-02-2026

Neutral Citation: Yes
NSL

To

1. The Secretary to Government,
Tourism Culture and Endowments Department,



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2. The Commissioner,
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Endowments Department
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D.BHARATHA CHAKRAVARTHY, J.

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