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WA No.1328 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.06.2026

CORAM

THE HON'BLE MR.SUSHRUT ARVIND DHARMADHIKARI,
CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE G. ARUL MURUGAN

WA No.1328 of 2026
and CMP No.12345 of 2026

S.Kumar,
No.4, Kumara Koil Street
Tiruvannamalai Post,
Tiruvannamalai District 606 601

: Appellant

versus

1.The Secretary,
Hindu Religious & Charitable Endowments Department,
Secretariat, Fort St. George,
Chennai - 600 009.

2.The Commissioner,
Tamil Nadu Hindu Religious and Charitable
Endowments Department,
Nungambakkam, Chennai - 600 034.

3.The Joint Commissioner,
Arulmigu Arunachaleshwarar Temple,
Tamil Nadu HR & CE, Tiruvannamalai - 606 601.

4.The District Collector,
District Collectorate,
Tiruvannamalai District- 606 604.

: Respondents



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Prayer: Appeal filed against the order passed by the learned Single Judge in WP No.50593 of 2025 dated 07.01.2026.

For Appellant : Mr.Avinash Wadhwani

For Respondent : Mr.V.Chandra Prabhu,
Government Advocate for HR & CE
for R1 to R3

Mr.K.Kumaran
Government Pleader
for R4

JUDGMENT

(Delivered by the Hon'ble Chief Justice)

Aggrieved by the order passed by the learned Single Judge dated 07.01.2026 in WP No.50593 of 2025, the present appeal has been filed.

2. The appellant herein knocked the doors of the writ court seeking issuance of a writ of mandamus directing the respondents to permit him and person accompanying him to have access to the Arunachaleswarar Temple at Tiruvannamalai to witness and participate in the milk *abishegam* ritual performed in the *mulasthanam* of the deity, as an *ubayadarar*/donor.

3. The learned Single after hearing both sides, disposed of the



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writ petition with the following observations:

"5. The temple allows the Ubayadar to choose any one of the normal days except festival days, as marked in the temple calendar. Therefore, the petitioner shall, well in advance, select a day of his choice and be present as Ubayadar, and the respondents shall also permit the petitioner and three others accompanying him to be present as Ubayadar on that particular day.

6. Accordingly, the writ petition stands disposed of. Consequently, connected miscellaneous petition is closed. No costs."

4. The learned counsel submitted that the unilateral modification of the conditions set forth in the proceedings dated 02.02.2003, which previously allowed broader access, was arbitrary and erroneous. It was pleaded that the appellant should be permitted to attend the temple at least twice a week, specifically on Mondays and Thursdays, given his long-standing practice and donor status.

5. Learned counsel for respondents 1 to 3 argued that there are approximately 150 recognized *Ubayadarars*. If each donor, along with



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three accompanying persons, claims unrestricted daily access, it would create logistical impossibilities and immense hardship for other devotees. It was submitted that the order of the learned Single Judge is well-reasoned, balanced and warrants no interference.

6. We have heard both sides and perused the materials available on record.

7. The core issue raised is whether the restriction imposed by the learned Single Judge amounts to an arbitrary curtailment of the appellant's rights.

8. The order of the learned Single Judge does not extinguish the appellant's right as an *Ubayadarar*. Rather, it regulates the exercise of such right by allowing the appellant to select one non-festival day of his choice, to enable the authorities permit him and the accompanying personnel. This ensures that the appellant can still participate in the ritual of *Milk Abishegam*, albeit on a scheduled basis.

9. The appellant is not the sole *Ubayadarar* of the temple. There



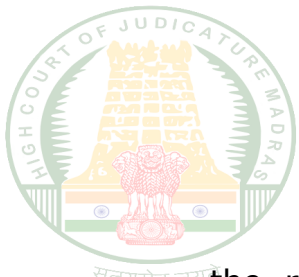
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are approximately 150 donors, many of whom have contributed sums equal to or greater than the appellant. Granting unrestricted or frequent access to one donor would set an unmanageable precedent. Accommodating all 150 donors under such expanded terms would be virtually impossible and would cause significant disruption to the temple's administration and the worship experience of the general public.

10. To the extent the appellant feels aggrieved by the alleged violation of the original conditions contained in the proceedings dated 02.02.2003, such grievances pertain to civil rights of the appellant arising from the donation agreement. The appropriate remedy for such disputes lies before the civil court, not through writ jurisdiction. Therefore, we are not dilating on the decisions relied on by learned counsel for the appellant, *inter alia*, about the significance of kattalai [special service].

11. We find no error, illegality, or arbitrariness in the order passed by the learned Single Judge. The direction to allow the appellant to choose one day in advance strikes a fair balance between



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the rights of the donor and the administrative necessities of the temple.

In the light of the above, we do not see any merit in this appeal. The appeal is, therefore, dismissed. There will be no order as to costs. Consequently, CMP No.12345 of 2026 is closed.

(SUSHRUT ARVIND DHARMADHIKARI, C.J.) (G. ARUL MURUGAN, J.)
16.06.2026

Index : Yes/No
Neutral Citation : Yes/No
tar/sasi

To

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THE HON'BLE CHIEF JUSTICE
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G. ARUL MURUGAN, J.

(tar/sasi)

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