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W.P.No.44347 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-02-2026

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THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

**WP No. 44347 of 2025
and W.M.P.No.49473 of 2025**

Krishna Devaraya
S/o.Achyuta Devaraya, House No.15/72
Anegundi House, 31st Ward, N.C.Colony,
Sandur Road, Hospet-583203, Karnataka.

..Petitioner(s)

Vs

1. The Commissioner
Hindu Religious And Charitable Endowments
Board, 112, Uthamar Gandhi Salai,
Nungambakkam, Chennai-600 024.
2. The Joint Commissioner
Hindu Religious And Charitable Endowments
Bord, 11/20, A.K.Thangavelar Street,
Kancheepuram-631501.
3. The Executive Officer And Trustee
Sri Devaraja Swamy Temple,
Kancheepuram-631501.

..Respondent(s)

PRAYER: This Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the 3rd respondent herein, to produce all the approvals obtained by the 3rd respondent as stated in her affidavit before this Hon'ble court in WP No.22177 of 2025 together with approvals mandated by the orders passed by this Hon'ble High court in W.P.No.574/2015 the



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approvals in compliance with G.O.(Ms)No.171, dated 29.06.2013 issued by the Tourism, Culture and Religious Endowments (MA2) Department, and approvals under the Tamil Nadu Hindu Heritage Commission Act 2012 and all the other permissions obtained by the respondents that permits the construction, conservation and heritage of the Sri Devarajaswamy Temple at Kancheepuram in accordance with the Agamas and pass such other or futher orders.

For Petitioner(s): Mr.S.K.Srinivasan

For Respondent(s): Mr.P.S.Raman, Advocate General
assisted by
Mr.N.R.R.Arun Natarajan
Special Government Pleader for RR1 and 2
Mr.R.Bharanidharan for R3
Mr.Prakash Adiapadam for R4

ORDER

This Writ Petition is filed for a Writ of Mandamus, directing the 3rd respondent to produce all the approvals obtained by the 3rd respondent, as stated in her affidavit before this Court in W.P.No.22177 of 2025, together with approvals mandated by the orders passed by this Court in W.P.No.574 of 2015, approvals in compliance with G.O.(Ms)No.171, dated 29.06.2013, issued by the Tourism, Culture and Religious Endowments (MA2) Department, and approvals under the Tamil Nadu Hindu Heritage Commission Act 2012, and all the other permissions obtained by the respondents that permit the construction, conservation and



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heritage of the Sri Devarajaswamy Temple at Kancheepuram, in accordance with the Agamas, and to pass such other or further orders.

2. Upon hearing *Mr.S.K.Srinivasan*, learned counsel appearing on behalf of the petitioner, and perusing the affidavit and other records of the case, the petitioner's grievance is that he is a devotee of the said temple and a lineal descendant of the Kings who originally constructed it. The temple is a premier 12th century Vishnu shrine, recognised as one of the 108 *Divya Desams*, and the sacred *Athi Varadar* idol is kept underwater and brought out once in 40 years. The temple has been proven to have been constructed more than a thousand years ago. Though some structures were added subsequently, all the structures are heritage structures of at least 500 years' standing. The entire temple is built of granite and has great heritage and archaeological value, reflecting the life and times.

3. Apart from this, the entire temple was built with great devotion and follows the *Pancharatra Agamas*. There is meaning in every entry and exit in the temple, as well as in the manner in which the deity has to be worshipped. Everything is covered by the various facets of the Agamas. Now, more people



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have started visiting the temple, especially during holidays and weekends. Citing crowd management as the sole reason, several works are carried out under the guise of performing *kudamuzhukku*, and such works are in violation of the Agamas.

4. Earlier, when certain interested devotees filed W.P.No.22177 of 2025, this Court permitted the renovation works to be carried out, after recording an undertaking that no damage would be caused to the heritage structure and that the sannadhi, deities, and murals would not be disturbed in the said process. Firstly, the said order was passed without taking into consideration the provisions of the Tamil Nadu Heritage Commission Act, 2009, which had come into force with effect from 01.03.2024. The Committee constituted by the Hon'ble Division Bench in W.P.No.574 of 2015 was only an interim arrangement, and the statute had not come into force then. Subsequently, since the statute has come into force, it is mandatory to obtain the Heritage Commission's approval as per Section 11 of the Act. Yet another Division Bench of this Court in W.P.No. 34810 of 2023, having seized of the matter, has prohibited any civil construction and other works in temples of archaeological importance throughout the State of Tamil Nadu.



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There can be no doubt whatsoever that the instant temple has archaeological importance, considering the fact that it is more than a thousand years old and stands as a testimony to the architectural marvel and grandeur of the manner in which temples were built in yesteryears. It also has mural paintings throughout and is therefore of great archaeological and heritage importance.

5. The learned counsel would specifically point out certain aspects. First, the ramp that is being built will be in violation of the agamic traditions. By virtue of the said ramp, devotees will be carried straight from *praharam* 3 to *praharam* 1, without visiting *praharam* 2. People should not enter *praharam* 1 without visiting *praharam* 2. Second, the ramp is also constructed in such a manner that people will be walking over the *Dhanvanthri sannadhi*, which is a grave violation not only of the agamic structure but also of the very belief of the devotees. People should not walk on top of the *sannadhis*. The third contention is that a window of the first *praharam* is now being converted into a doorway. The entrance and exit of the temple are not child's play to be opened or closed in any manner. They should be managed only as per the agamic traditions. As per the original agamic tradition, the entrance and exit are designed. If there is a problem in crowd management, more manpower can be employed to regulate the crowd in a non-



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intrusive manner. Converting a window into a doorway certainly violates the agamic traditions of the temple.

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6. Next, the submission is that six steps are provided at the entrance of the *garbagriha*. There is meaning and significance to that. Now, the same is being covered by wooden panelling. The very purpose of the six steps to be climbed to enter God's sanctum is lost, and they are converted into ten steps, which is a violation of the agamas. Next, the golden lizard is fixed at a height based on agamic traditions. The authorities cannot lower the lizard as per their whims. They also propose to install a false ceiling, which would cover and denigrate the murals.

7. The learned counsel would further submit that even for the crucial meetings of the State Level Expert Committee (SLEC), the institutional head of the Archaeological Department has not attended. When the temple has such immense heritage value and significance, it is not only a popular place of worship but also of great importance in terms of longstanding traditions. Permissions are being granted without the participation of the appropriate experts. The respondents should not be permitted to proceed with the works and must first obtain the Heritage Commission's permission. No work in violation of the



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Agamas or in a manner that spoils the temple's heritage can be carried out.

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8. *Per contra*, Mr.P.S.Raman, the learned Advocate General appearing on behalf of the HR & CE Department, would submit that the works are carried out after obtaining all the due permissions as required by the Division Bench Judgment in W.P.No.574 of 2015. The SLEC conducted several meetings, and in some of them, the institutional head of the Archaeological Department was in attendance. No new civil work is carried out. All that is being done is the provision of the ramp. The ramp is being provided because the foot steps that were provided are more than 1 to 1 ½ feet in height. Most of the devotees are not in a position to climb the stairs. Only to enable everyone to visit the deity, the arrangements are being made. The original steps and the original pathway will be maintained intact. Any able-bodied devotee who wants to go through these steps can still do so, and the same is not permanently closed or interfered with. The ramp is only to facilitate the movement of the general public, especially during the weekends and other holidays, when lakhs and lakhs of devotees visit the temple.

9. As far as the lizard is concerned, lowering its height doesn't violate any agamas. The second ramp leads people inside the *ardhamandapam* by making the



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window into a doorway. An affidavit has been filed by the agamic experts stating that it would constitute an agamic violation only if the structure of the *Garbhagriha* is interfered with. The provision of these small doorways will not in any way affect the agamas. In fact, even before the present work, the window was converted into a doorway, and a shutter has also been maintained. Therefore, this cannot now be raised as if it were being done for the first time. This will not in any manner interfere with the structural stability or the structural heritage of the temple. By the present works, all the murals are going to be restored. Earlier, some of the murals were defaced by the devotees.

10. The entire work is being carried out under Corporate Social Responsibility, with the aim of not interfering with or spoiling the heritage. The ramps with steps of lesser height will definitely help everyone visit the temple in a more convenient manner.

11. With reference to the argument relating to the Tamil Nadu Heritage Commission Act, 2009, the learned Advocate General would submit that the matter is subjudice before the Division Bench. As on date, there is no Heritage Commission. The Division Bench had already given its go-ahead with reference to



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the work that is being done for carrying out *kudamuzhukku* and other festivals of the temple. No new civil construction is being put up, and therefore, as on date, there is no requirement for any prior approval of the Heritage Commission. The works were going on, and almost 90% of the works have also been completed, but they are now stalled for the past three months.

12. After hearing both sides, this Court opined that, with reference to the complaints made, only the agamic and archaeological experts can decide whether there has been a violation of agamas or interference with the heritage. It was further suggested that the SLEC can constitute a sub-committee that should definitely include the institutional archaeological head and an agamic expert, especially a person who is an expert in '*Pancharatra Agama*', as compulsory members, along with such other members as the SLEC thinks fit and they can consider the concerns that are raised in the present writ petition. The learned Advocate General submitted that the respondents are not averse to the same.

13. The learned counsel for the petitioner would submit that so long as the SLEC is open to considering all the submissions made by the petitioner as well as



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by any other devotee interested in pointing out the agamic violations, and the particular agama expert is a member of the sub-committee, that procedure can be undertaken.

14. In view of the above, with reference to the argument relating to the Heritage Commission, I am not considering the same on merits. The petitioners and the respondents rely on paragraph Nos. 10.4 and 10.5 of the Order of the Hon'ble Division Bench. The fact is that the Heritage Commission is not yet constituted. Further, the issue of renovation/conservation works has been considered in detail by this Court in W.P.No.22177 of 2025, and it was ordered the works can be carried on. Since it is submitted that the works are being carried on in a manner that violates the undertakings recorded in the said order, this Writ Petition is disposed of on the following terms:

- (i) The SLEC shall fix a date for inspection of the temple in question; the date of inspection shall be intimated to the petitioner and also displayed in a prominent manner in the notice board and outside the temple;
- (ii) The SLEC shall appoint a Sub-Committee of its members to physically inspect the Temple and the works carried out. The Sub-Committee should certainly consist of the serving officer from the institution of the State Archaeological Department, who is an archaeological expert, and a Pancharatra Agama expert, as



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members. The other members of the Sub-Committee can be as decided by the SLEC;

(iii) On the date of inspection, it will be open for the petitioner and such other devotees, who are interested in the agamic traditions and heritage of the temple to point out to the Sub-Committee of any violations and concerns on the spot and also submit their objections in writing in respect of every aspect which they feel that are in violation of agamas or an affront to the heritage of the temple. The entire exercise shall be done in an atmosphere of trust and cordial manner with devotion and conservation being the only aim and everyone concerned shall co-operate for the inspection and hearing process of the sub-committee;

(iv) The Sub-Committee shall consider each and every objections objectively and dispassionately in an open manner and submit its recommendations to the SLEC recommending the works that can continue, and those cannot; and ones that require modification;

(v) SLEC shall consider the report of the Sub-Committee and pass a supplementary clearance order in detail with speaking order as to the necessity of each of the works permitted and manner in which the work has to be carried on, by giving express reasons as to the compliance of agamas and traditions and thereafter the works can continue as per the order of the SLEC;



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(vi). The undertaking given by the learned Advocate General that any devotee who wants to visit the temple in the traditional way by climbing the 1 ½ feet high steps will be permitted and that the original pathway will not be interfered is recorded. Even with reference to the *garbhagriha*, the arrangements will be modified in respect of the six steps so as to satisfy the devotees who will climb only the traditional six steps and also to overcome the present day human weakness of not able to carry the deity, by making such modified wooden ramps is also recorded.

(vii) The SLEC shall take a decision expeditiously and all the permitted and non offending works be completed swiftly and the temple be worshipped in its traditional glory and let the *kudamuzhukku* be carried on without violating the heritage and in compliance with the other directions issued by this Court in W.P.No.22177 of 2025.

(viii) As far as the original prayer, it is submitted that all the approvals form part of the record and a set of the same is being furnished to the learned counsel for the petitioner.

(ix) No costs. Consequently the miscellaneous petitions stand closed.

23-02-2026

Neutral Citation: Yes
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To

1. The Commissioner
Hindu Religious And Charitable Endowments Board, 112, Uthamar Gandhi
Salai, Nungambakkam, Chennai-600 024.
2. The Joint Commissioner
Hindu Religious And Charitable Endowments Bord, 11/20, A.K.Thangavelar
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Today, this writ petition is listed under the caption “for being mentioned” at the instance of the learned counsel for the petitioner and the learned counsel for the fourth respondent.

2. The learned counsel for the petitioner submits that, in the order dated 23.02.2026 made in W.P.No.44347 of 2025, the name of the petitioner’s counsel, namely, Mr.S.K.Srinivasan alone has been mentioned. However, the name of Mr.Susanna Prabhu has not been mentioned.

3. The learned counsel for the fourth respondent submits that the name of the fourth respondent, namely, R.Premnath Singh, who was impleaded vide order dated 23.02.2026, has not been mentioned in the cause title.

4. In view of the above, the Registry is directed to include the name of the learned counsel for the petitioner and also include the name of the fourth respondent in the cause title and issue a fresh copy of the order.

12.03.2026

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