



W.P.(MD)No.5661 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.04.2026

CORAM

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.(MD)No.5661 of 2026

and

W.M.P.(MD)Nos.4714 to 4716 of 2026

M.Neelavathi

... Petitioner

Vs.

1.The Assistant Commissioner,
The Hindu Religious and Charitable
Endowment Department,
Thanjavur District.

2.The Inspector,
The Hindu Religious and Charitable
Endowment Department,
Thanjavur District.

3.S.Karuppaiah

[R3 is *suo motu* impleaded
vide order dated 02.03.2026]

4.Arulmigu Sri Veemanayagi Amman Temple,
Rep. by its Chairman of Non-Hereditary
Trustee Committee,
R.Vijayasundaram,
S/o.Rasu,
Karuppamanai,
Aathanur, Koopilikadu,
Peravurani Taluk, Thanjavur District.

... Respondents



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[R4 is impleaded vide order dated 08.04.2026 made
in W.M.P.(MD)No.5906 of 2026]

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Prayer : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorarified Mandamus to call for the entire records relating to the impugned order passed by the first respondent in S.Mu.Na.Ka.No. 496/2022-737/A6 dated 19.05.2025 and quash the same as illegal, arbitrary, inoperative in law and consequently, direct the respondents 1 and 2 to allow the petitioner in the Veemanayagi Temple for doing poojas and rituals.

For Petitioner : Mr.V.Kishore Kumar

For R1 and R2 : Mr.M.Sarangan
Additional Government Pleader

For R3 : Mr.M.Suresh

For R4 : Mr.AN.Ramanathan

ORDER

The writ petition has been filed challenging the impugned order dated 19.05.2025.

2. The case of the petitioner is that her husband, namely, Mariappan, was the Priest in respect of Arulmigu Veemanayagi Amman Thirukovil, Athanur Village, Peravurani Taluk, Thanjavur District. The



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respondents 1 and 2 had removed him from the post of Priest, and the petitioner was appointed as the temporary Priest of the said Temple by a communication dated 26.12.2022. The petitioner has been performing the poojas from that day onwards. While so, suddenly, by the impugned order, the petitioner was removed from the post and the third respondent was appointed as the temporary Priest. Aggrieved thereby, the present writ petition has been filed.

3. The learned counsel appearing on behalf of the petitioner would submit that, on a perusal of the impugned order, it can be seen that the petitioner has been removed from the post solely on the ground that she is a female, which is violative of Articles 14 and 16 of the Constitution of India. Secondly, no opportunity was granted to the petitioner before passing the impugned order. Thirdly, the entire exercise was carried out pursuant to an alleged resolution of the Trust Board, in which there was no quorum and many of the Board Members did not participate. Therefore, the impugned order is liable to be quashed and the petitioner ought to be permitted to continue in the said post.



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4. Per contra, the learned Additional Government Pleader appearing on behalf of the respondents 1 and 2 would submit that they did not remove the petitioner's husband from the post of Priest. On the contrary, due to the pendency of criminal cases, the petitioner's husband was unable to submit the Police Verification Report/No Objection Certificate from the Police authorities and, in turn, requested that his wife be appointed as Priest on a temporary basis. Considering the immediate necessity for appointing a Priest, the petitioner was appointed on a temporary basis by order dated 26.12.2022. Subsequently, based on a resolution passed by the Temple, bringing to notice that the petitioner was not able to perform the poojas, her temporary services were dispensed with and the third respondent has now been appointed on a temporary basis.

5. The learned counsel appearing on behalf of the third respondent would submit that, pursuant to the impugned order dated 19.05.2025, the third respondent has assumed charge and has been performing the poojas, including participation in the mud horse festival (Man Kuthirai Eruthal), holding of Aruval, and other festival-related rituals, including the sacrifice of goat (Kida Vettu). After the third respondent assumed charge in May



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2025, an interim order was granted in favour of the petitioner, and the third respondent is now sought to be dislodged. Therefore, the learned counsel prays that the interim order be vacated and the third respondent be permitted to continue as Priest of the Temple.

6. The learned counsel appearing on behalf of the newly impleaded fourth respondent would submit that the fourth respondent is the Board of Trustees. The functions of the Priest in the Temple are of such a nature that, during festival times, the Priest is required to accompany the procession and perform the following rituals associated with the festival.

"(i) The poojari should stand in Aruval above two persons shoulder and should give 'Arulvakku' to the devotees.

(ii) The poojari should claim over clay horse from particular place to the temple, which will be minimum 10 feet height.

(iii) The poojari should perform Kidavettu to the deity using Aruval, as per our village custom practice the said Kidavettu should not be viewed by any of the women.

(iv) The poojari should take Kopparai in his hand and roam the village in whole night.

(v) The poojari should stand in the temple car and roam the village in the festival."

Therefore, it is contended that the decision was not on account of any gender bias, but on account of sheer necessity coupled with the faith of the people, wherein it was felt that a male member would be preferable.



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As a matter of fact, from the year 2022 until the appointment of the third respondent herein, the petitioner did not perform any of the poojas, and her husband continued to act as the *de-facto* Priest, while *de jure* the petitioner's name was entered as Priest. Even the Trustees and the Villagers were not aware of this arrangement, as they had been witnessing only the petitioner's husband performing the poojas, including all the festival-related rituals during the relevant period. Therefore, it is contended that there cannot be a benami nomination as Priest, whereby an ineligible person facing criminal proceedings continues to function as Priest, while the petitioner is recognized only nominally.

7. I have considered the rival submissions made on either side and perused the materials available on record.

8. Insofar as the petitioner's husband is concerned, it is seen that the F.I.R. pertains to a protest-related case, and it is for him to take appropriate steps in that regard, obtain the necessary clearance, and thereafter, claim the office of Poojariship. That issue does not fall for consideration in the present writ petition.



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9. When the primary ground raised in the writ petition is one of gender bias, there can be no two opinions that the petitioner cannot be discriminated against solely on the basis of gender. However, if male members nominate their wives and continue to perform the poojas themselves, it would amount to a serious infraction of Articles 14 and 16 of the Constitution of India, which is precisely the allegation in the present case. The petitioner has not specifically asserted that she herself performed the aforesaid rituals during the festival periods for the years 2023–2024, particularly, in the face of the allegation that her husband alone had been performing them.

10. Even as a woman, if the petitioner is able to perform the said functions, this Court would certainly come to her aid on the ground of gender equality. However, that is not the case here. Further, it is evident that the petitioner's appointment was purely temporary in nature. There was no regular salary attached nor any civil consequences involved; it was merely a recognition of a traditional entitlement. Moreover, no stigma has been cast upon the petitioner by virtue of the impugned order. The relevant portion of the impugned order is extracted hereunder:

"பார்வை 3-இல் காணும் திருக்கோயில் அறங்காவலர்
தீர்மானத்தின் அடிப்படையில், பூஜை மற்றும் திருவிழாக்



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காலங்களில் இதர பூஜை பணிகளுக்கு ஆண்பால் பூசாரியின் பங்கு அவசியம் என்பதை கருத்தில் கொண்டும், கிராமத்தார்கள் மற்றும் மண்டகபடிதாரர்களின் வேண்டுகோளுக்கிணங்கியும், தற்போது பூசாரியாகவுள்ள திருமதி.நீலாவதி க/பெ.மாரியப்பன் என்பவருக்கு பதிலாக, அதே வகையராவைச் சேர்ந்த திரு.ச.கருப்பையா. த/பெ.சன்னாசி, என்பவரை பூசாரியாக நியமனம் செய்ய வேண்டி தீர்மானம் நிறைவேற்றப்பட்டுள்ளது.

மேற்படி அறங்காவலர் குழு தீர்மானத்தின் அடிப்படையில், பார்வை 4-இல் காணும் சரக ஆய்வாளர் அறிக்கையில், திருமதி.மா.நீலாவதி க/பெ.மாரியப்பன் என்பவருக்கு பதிலாக அதே வகையராவைச் சேர்ந்த திரு.ச.கருப்பையா. த/பெ.சன்னாசி என்பவரை பூசாரியாக நியமனம் செய்ய பரிந்துரைத்துள்ளார். "

Therefore, in the absence of any specific charge, it cannot be contended that the first respondent was not entitled to pass the impugned order. When a temporary Priest is relieved from service, and when no salary or other pecuniary benefits are involved, this Court is unable to interfere with the said order on the ground of violation of the principles of natural justice or on the ground that it casts any stigma.

11. For all the aforementioned reasons, I am unable to accept the contentions advanced by the learned counsel for the petitioner. When the petitioner was appointed only as a temporary Priest, and in the absence of the Trustees questioning the decision taken pursuant to the resolution, the petitioner cannot now challenge the same merely on the ground that some of the Trustees did not participate in the meeting in which the resolution was passed.



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12. For all the above reasons, the writ petition fails and is accordingly dismissed. There shall be no order as to costs. Consequently, the connected Miscellaneous Petitions are closed.

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(2/2)

Neutral Citation : No
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To

- 1.The Assistant Commissioner,
The Hindu Religious and Charitable
Endowment Department,
Thanjavur District.
- 2.The Inspector,
The Hindu Religious and Charitable
Endowment Department,
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D.BHARATHA CHAKRAVARTHY, J.

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