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W.P(MD)No.6311 of 2



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 10.03.2026

CORAM

**THE HONOURABLE MR JUSTICE D.BHARATHA
CHAKRAVARTHY**

W.P(MD)No.6311 of 2026

D.Arul Selvan

... Petitioner

Vs.

- 1.The Commissioner,
Hindu Religious and Charitable Endowment Department,
Chennai.
- 2.The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Tirunelveli Region,
Tirunelveli.
- 3.The Board of Trust,
Arulmigu Sri Subramanya Swamy Temple,
Valliyoor, Tirunelveli District.
- 4.The Executive Officer,
Arulmigu Sri Subramanya Swamy Temple,
Valliyoor.
- 5.The Tahsildar,
Radhapuram & Taluk,
Tirunelveli District.
- 6.The Superintendent of Police,
Tirunelveli,
Tirunelveli District.



7.The Inspector of Police,
Valliyoor,
Tirunelveli District.

...Respondents

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Writ Petition is filed under article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for the records of the impugned order passed by the 3rd respondent in his proceedings Nil dated 03.02.2026 and quash the same as illegal and further directing the respondents to restore the photograph of “Tavathiru Velandi Paraparadesi Siddhar” in Arulmigu Sri Subramanya Swamy Temple, Valliyoor, Tirunelveli District within a time stipulated by this Court.

For Petitioner	:Mr.S.Vashik Ali
For R1 to R5	:Mr.M.Sarangan Additional Government Pleader
For R6 & R7	:Mr.K.Gnanasekaran, Government Advocate(crl.side)

ORDER

This writ petition is filed challenging the impugned order dated 03.02.2026 and quash the same as illegal.

2.Upon hearing the learned counsel on either side and perusing the material records of the case, it can be seen that there is a temple, which is a hereditary structure built of granite. There is also a structure outside the temple premises which is said to be the place of worship for Tavathiru Velandi Paraparadesi Siddhar.



3.While this being the position, when 2 siddhars are said to be associated with the temple, originally the devotees of Velandi Thambiran only kept a picture of the said Siddhar on one pillar that is situated on one side of the Kodimaram. Since that siddhar was only the disciple of the Velandi Paraparadesi Swamigal, the devotees of the said Siddhar had kept the picture in another pillar which is on the other side of the Kodimaram. The same became a contentious issue and as usual the devotees forgetting bhakti started to raise the question of Jathi.

4.In view thereof, since the installation was without the permission of the board, an enquiry was conducted and after enquiry now, the picture which is newly installed of Velandi Paraparadesi Siddhar, is directed to be removed. Since the picture was installed, claiming that it was without permission from the board, suddenly the picture was removed. Aggrieved thereby earlier the petitioner filed W.P(md)No.36487 of 2025, in which, this Court again directed them to conduct an enquiry and pass orders thereon. Pursuant to which, the impugned order is once again passed refusing permission to install the picture and therefore, the petitioner is before this Court.



5.The contention made by the learned counsel for the petitioner is that since people are objecting to the same by considering the caste background of the Siddhars. Therefore, the same amounts to caste discrimination and constitutionally impermissible and violation of Article 14 of the Constitution of India. In effect, what is pursued is untouchability and as such Article 17 of the Constitution of India is violated.

6.Per Contra, the learned Additional Government Pleader would submit that this picture is now only installed since it is created a ruckus among the devotees and since it was installed without the permission of the board, the board has removed the same. Therefore, there is no any discrimination or untouchability.

7.I have considered the rival submissions are made on either side and peruse the material records of the case.

8.The picture of the temple in which, both the photographs are placed on either side and the picture of the present position whereby one photograph alone is there on one side are annexed 1 and 2 of this order. It can be seen that both are photo frames which is now placed. Both sides cannot have any right to install the same in a traditional temple. Keeping



such pictures of Siddhar, is a matter of faith and it is not justiciable before the Court as if it is a matter of right. If all the devotees are *ad idem* and cooperate with each other and install the pictures of both the siddhars or any other Siddhar also, the Court will not intervene and substitute its opinion to that of the devotees of the temple or that of the department. However, when one picture is allowed to remain and one picture alone is taken out, then the question as to the discrimination arises. If the installation of the picture amounts to a problem for devotees, then the decision of the department in ordering to remove the same cannot be taken exception to. But when it is argued that it sends a message about caste, then the issue has also to be considered by the respondent.

9. Therefore, I am of the view that once again the matter should be considered by the 2nd respondent, the following questions can be decided by the 2nd respondent: (i) whether the parties can claim any customary right to install the pictures of the Siddhar.

(ii) Even if they have customary rights, keeping the picture of one Siddhar and removing the picture of other Siddhar, whether it sends out signals relating to caste bias on the part of the temple administration.

(iii) if it is going to create disharmony among the devotees, whether it would be advisable to remove both the pictures.



10.The answers to the question to be arrived at by giving due opportunity to the petitioner herein, to the Trust Board which is administered the temple and the devotees of the other Siddhar also. The writ petition is disposed of on the following terms:

(i)The representation of the petitioner dated 03.02.2025 shall be treated as an application under section 63 of the Act. The Joint Commissioner, Tirunelveli, shall issue notice to the petitioner, to the Trust board, to any other person interested and would like to intervene on behalf of the devotees of the other Siddhar, namely Velandi Paraparadesi.

(ii)The enquiry shall be conducted and the aforesaid question shall be expressly answered and it should be kept in mind above all the customs, the constitutional priority not to discriminate among the caste, especially untouchability that is expressly prohibited in any form should also be considered in accordance with law.

(iii)The aforesaid excise shall be completed within a period of four months from the date of receipt of the web copy of the order. The petitioner can also submit a fresh representation updating with all the subsequent developments and produce such documents in their favor.

10.03.2026

NCC:Yes/No



To

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D.BHARATHA CHAKRAVARTHY, J.

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