



W.A(MD)No.2115 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.06.2026

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HONOURABLE MS.JUSTICE R.POORNIMA

W.A(MD)No.2115 of 2023

and

C.M.P(MD)Nos.16892 of 2023 & 666 of 2024

S.Raja SethuRamalingam

... Appellant /
8th Respondent

Vs.

C.Balasubramaniyan (Died)

1.V.Karunanithi
*(R.1 is substituted vide order
of this Court dated 19.06.2026)*

2.The District Collector,
Sivagangai,
Sivagangai District.

3.The District Revenue Officer,
Sivagangai,
Sivagangai District.

4.The Revenue Divisional Officer,
Sivagangai,
Sivagangai District.

5.The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,



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40, Muthusamy Nagar,
Thiruppathur Road,
Sivagangai, Sivagangai District.

6.The Assistant Commissioner,
Hindu Religious and Charitable
Endowments Department,
Sivagangai, Sivagangai District.

7.The Tahsildar,
Sivagangai,
Sivagangai District.

8.The Inspector of Police,
Madhagupatti Police Station,
Sivagangai,
Sivagangai District.

... Respondents 2 to 8 /
Respondents 1 to 7

9.K.Rajaguru
*(R.9 is impleaded vide order
of this Court dated 19.06.2026)*

... Respondent

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent Act to
set aside the order passed by this Court in W.P(MD)No.13654 of 2022
dated 01.07.2022.

For Appellant : Mr.Sudarsana Nachiappan
Senior Counsel
for Mr.A.L.Vjeydevraj

For Respondents : Mr.J.Jeyakumaran for R.1

Mr.M.Kannan
Government Advocate for R.2 to R.8

Mr.G.R.Satish for R.9



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JUDGMENT

(Judgment of the Court was made by G.R.Swaminathan J.)

This Writ Appeal is directed against the order dated 01.07.2022 made in W.P(MD)No.13654 of 2022. One Balasubramaniyan, the first respondent herein filed the said writ petition to direct the authorities under the HR&CE Department as well as the jurisdictional Tahsildar to ensure that no first honour is given to the appellant herein. The appellant herein was shown as the eighth respondent. The learned single Judge disposed of the said writ petition in the following terms:

“8. It is seen that there are three villages in the area namely Kattanipatti, Mallakottai and Vadavanpatti. These three temples perform pooja and conduct festival. Initially function was held at Mallakottai Thereafter for the same, festival and mud was taken from Mallakottai and placed at Kattanipatti and conduct temple festival. Persons having dominant force claiming self honour by force. Infact they want to be projected as Demi God. It is now objected to by the villagers. Majority of the villagers are employed in foreign flushed with funds. During temple festival, the persons using their money claim honours, using the money grows with the aid strong men forcing their way of conducting temple festival and silencing the villagers. Now, the villagers resisted the



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same and approached the revenue and police officials.

This Court earlier passed orders directing the concerned officials to ensure that no one is treated differently and no such privilege are recognised by the HR and CE officials. No body can claim any such privilege and all to be treated equally, muscle power and money power cannot have any say in the worship of God, the manner in which festival to be performed and conducted.

9. It is also seen that high decibel sound speakers causing disturbance and tranquility of the temple festival created. It is for the revenue officials to see that there are no riots in the village and it is for them to maintain peace and tranquility for which, they have been vested with certain powers and to give directions to the police force.

10. In view of the photos and submission, this Court feels that the apprehension of the petitioner is reasonable. In view of the same, the Assistant Commissioner of the HR and CE Department, is to be present during the last day festival on 03.07.2022 and ensure orderliness inside the temple by not allowing any body with head gear and other symbolic articles to project themselves with special status, all the devotees and villagers to be treated equally and no special honour to be given to any person and no procession is to be allowed inside the temple and its precincts. Likewise, the Revenue Divisional Officer to post sufficient number of revenue officials to monitor the happenings in the



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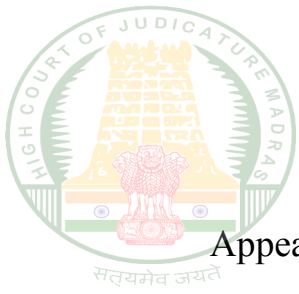


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Manthai and also to ensure that there is no procession or any kind of act marring the peace of the village. The Deputy Superintendent of Police, Sivagangai District shall deploy enough strength of police officials and to maintain law and order and to see that during temple festival, no untoward incident happens. The District Collector, Sivagangai District and the Superintendent of Police, Sivagangai District, to monitor the situation and give appropriate directions and instructions to their subordinates for the peaceful conduct of the temple festival.”

Aggrieved by the same, this Writ Appeal has been filed.

2. Section 63(e) of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959 states that the issue as to whether any person is entitled, by custom or otherwise, to any honour, would be decided by the jurisdictional Joint Commissioner or Deputy Commissioner as the case may be. Thus, conferment of honour is specifically recognised and acknowledged by any statutory scheme of things. Therefore, the learned writ Judge could not have made an observation that nobody can claim any privilege and all should be treated equally. In this view of the matter, we set aside the order of the learned single Judge. We, however, make it clear that we have not recognised the right of the appellant in this Writ



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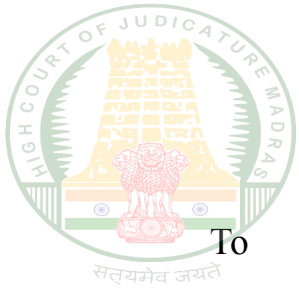
Appeal. The appellant has to establish his right under Section 63(e) of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959.

3.The learned counsel for the contesting respondents including the intervenor would submit that originally the Joint Commissioner passed an order negating the appellant's claim and that the appellant had filed an appeal before the Commissioner. According to him, some confusion has arisen on account of the remand order passed by the Commissioner. We make it clear that the appellant would be entitled to any honour only if such entitlement is specifically declared by the competent authority under the Tamil Nadu HR&CE Act.

4.This Writ Appeal is allowed with the aforesaid observations. No costs. Consequently, connected miscellaneous petitions are closed.

[G.R.S., J.] [R.P, J.]
19.06.2026
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NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
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