

W.P.Crl.(MD)No.3731 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : **07.07.2026**

CORAM:

THE HONOURABLE **MRS.JUSTICE L.VICTORIA GOWRI**

W.P.Crl.(MD)No.3731 of 2026

K.Chinna Muthanan

... Petitioner

Vs.

1. The Superintendent of Police,
Sivagangai District.

2. The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Sivagangai District. 630 501.

3. The Deputy Superintendent Of Police,
Sivagangai Taluk,
Sivagangai District.

4. The Inspector of Police,
Madagupatti, Sivagangai Taluk,
Sivagangai District.

5. K.Oviyanathan

6. P.Krishnan

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 3rd and 4th respondents to permit the petitioner to conduct the festival at Sri Aathini Iyyanar, Sri Thaaalamadai Karuppu and Manthai temple scheduled from 05.07.2026 to 12.07.2026 by following customary practice of receiving coconut fruits and theertham, in



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Kaalanchi (Thamboolam) on 11.07.2026 and 12.07.2026 consider the representation dated 02.07.2026.

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For Petitioner : Mr.T.S.Mohamed Mohideen

For Respondents : Mr.D.Rajaboopathy (R1, R3 & R4)

Government Advocate (Crl.)

ORDER

This petition has been filed seeking for a direction to the 3rd and 4th respondents to permit the petitioner to conduct the festival at Sri Aathini Iyyanar, Sri Thaaalamadai Karuppu and Manthai temple situated at Kallaraadhinipatti Village, Sivagangai District, scheduled to be held from 05.07.2026 to 12.07.2026 by following customary practice of receiving coconut fruits and theertham, in Kaalanchi (Thamboolam) on 11.07.2026 and 12.07.2026 by considering the representation dated 02.07.2026.

2. The learned counsel appearing for the petitioner submitted that, on an earlier occasion, when a dispute arose with regard to the administration of the subject temple, the members of the temple had instituted O.A. No.12 of 2000 before the second respondent. The said proceedings were heard in detail, and ultimately, a compromise was arrived at between the rival groups, settling, inter



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WEB COPY alia, the rights relating to the receipt of Kaalanchi (Thamboolam) and other customary practices and the said OA was disposed on 21.10.2002. It was further submitted that, thereafter, certain devotees, who were not parties to O.A. No.12 of 2000, filed a civil suit in O.S.No.142 of 2017 on the file of the District Munsif Court, Sivagangai, claiming right to receive Kaalanchi (Thamboolam). The said suit came to be dismissed and decreed in favour of the petitioner and other parties to O.A. No.12 of 2000. Aggrieved by the dismissal of the suit, the plaintiffs in OS No.142 of 2017 preferred an appeal in AS No.13 of 2021 before the Sub Court, Sivagangai. The said appeal was also dismissed, thereby confirming the judgment and decree passed by the trial Court.

3. However, the learned counsel appearing for the petitioner submitted that later, a similar person as that of the petitioner, who was a party in OA No. 12 of 2000, had filed a writ petition in WP.(MD)No.15168 of 2024 seeking to direct the Joint Commissioner, HR&CE Department, Sivagangai, to give necessary regulation in the temple festival based upon the order passed in OA No.12 of 2000, dated 07.10.2002, by considering the petitioner's representation dated 28.06.2024. This Court, in the aforesaid writ petition by order dated 09.07.2024, had disposed of the same confirming every aspect of the order passed in OA No.12 of 2000. However, making it clear that the official



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respondents should ensure that no special privilege conferred to any person contrary to the provisions of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959 (hereinafter referred to as the 'Act' for brevity) would be permitted at the time of conduct of the permission festival.

4. The learned counsel appearing for the petitioner further pointed out that the formality of receiving the Kaalanchi (Thamboolam) is nothing contrary to the Act, and the same is in conformity with the mandates of the same and sought the indulgence of this Court to allow this writ petition.

5. The learned Government Advocate appearing for the respondent police submitted that the representation dated 02.07.2026 submitted by the petitioner was received by the fourth respondent police on 03.07.2026. It was further submitted that, upon conducting an enquiry, the representation was duly considered and the enquiry was closed.

6. However, in reply, the learned counsel appearing for the petitioner pointed out that the enquiry was closed without assigning any reasons and that no reasoned order had been passed on the petitioner's representation.



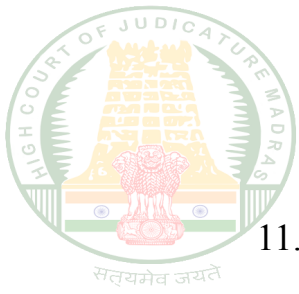
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7. Heard the learned counsel on either sides and carefully perused the materials placed before this Court. Considering the nature of the order proposed to be passed in this petition, notice to R2, R4 & R5 is dispensed with.

8. It is the considered opinion of this Court that neither the first respondent nor respondents 3 and 4 are the competent authorities to adjudicate upon the rights flowing from the compromise arrived at between the rival parties in O.A. No.12 of 2000. In the present writ petition, the petitioner merely seeks permission to continue the customary practice of receiving coconut, Theertham, (Thamboolam) during the temple festival by those persons, who are parties to O.A. No.12 of 2000.

10. Section 63(e) of the Act makes it clear that whether any person is entitled, by custom or otherwise, to any honour, emolument or perquisite in any religious institution and what the established usage of a religious institution is in regard to any other matter, the same can be permitted by the Joint Commissioner or the Deputy Commissioner, who decides certain disputes and matters in this regard.



11. In the instant case, already the matter has been taken before the 2nd respondent in OA No.12 of 2000 by the respective parties and the same has been adjudicated elaborately by the 2nd respondent and the final order has been passed by way of compromise arrived at in the said OA and the customary practice of receiving Kaalanchi (Thamboolam) has been permitted in the aforesaid OA. Later, certain persons who were excluded in the aforesaid OA had preferred civil suits, which was negated by the competent civil court, confirming the right of the petitioner and other parties to OA No.12 of 2000.

12. The petitioner had already submitted a representation to the first respondent, which was received by the fourth respondent. The learned Government Advocate submitted that the said representation was duly enquired into and has been closed. In view of the above, the fourth respondent police is directed to reopen the petitioner's representation dated 02.07.2026 and consider the same afresh in the light of the final order dated 21.10.2002 passed by the second respondent in O.A. No.12 of 2000. The fourth respondent shall also facilitate the petitioner and the other parties to O.A. No.12 of 2000 to carry out the customary practice of receiving Kaalanchi (Thamboolam) on **11.07.2026** and **12.07.2026** in terms of the order dated 21.10.2002 passed in O.A. No.12 of 2000. The petitioner is also directed to produce a copy of the order dated



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21.10.2002 passed in O.A. No.12 of 2000 before the fourth respondent to

facilitate compliance with this order.

13. With the above directions, this writ petition stands disposed of.

07.07.2026

NCC : Yes / No

Index : Yes / No

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Note: Issue order copy on 08.07.2026.



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L.VICTORIA GOWRI, J.

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TO:-

1. The Superintendent of Police,
Sivagangai District.
2. The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Sivagangai District. 630 501.
3. The Deputy Superintendent Of Police,
Sivagangai Taluk,
Sivagangai District.
4. The Inspector of Police,
Madagupatti, Sivagangai Taluk,
Sivagangai District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
W.P.Crl.(MD)No.3731 of 2026

Dated
07.07.2026