

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28-07-2026

CORAM

THE HON'BLE MR JUSTICE C. SARAVANAN

WP(MD) No. 21612 of 2026 AND W.M.P.(MD)Nos.16080 & 16081 of 2026

and

WP(MD)No. 21551 of 2026 and W.M.P.(MD)Nos.16020 to 16022 of 2026

W.P.(MD)No.21612 of 2026:-

Nalla PitchanS/o.Veeranan, 3/395, Meenakshi
Nagar, Kollankulam, Madurai District.

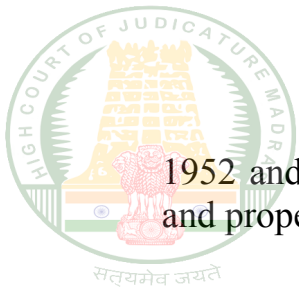
..Petitioner(s)

Vs

1. The District CollectorO/o. District Collector,
Madurai, Madurai District.
2. The Joint Commissioner,Hindu Religious and
Charitable Endowments (HR and CE)
Department, Madurai Region, Madurai.
3. The Revenue Divisional Officer,Melur,
Madurai District.
4. The Executive Officer,Arulmigu Kallalagar
Temple, Alagar Kovil, Madurai District.
5. P. Mahamani,S/o. Periyapulian, No. 12/33,
Ayyan Kovil Street, A. Vallalapatti Village,
Melur Village, Madurai.
6. A.K. Ramakrishnan,S/o. Karuppanan
Ambalam, Melavalavu, A. Vallalapatti
Village, Melur Taluk, Madurai.
7. R. Chellappan,S/o. Ramukaruppanan,
Vellarippatti Village, Melur Taluk, Madurai.
8. S. Jegan,S/o. K. Subramaniyan, No. 1/83,
Middle Street, Vellarippatti Village, Melur
Taluk, Madurai.

..Respondent(s)

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the Impugned Order passed by the 3rd Respondent under Na. Ka. No. 880/2026/C dated 27.07.2026 and to quash the same as arbitrary, illegal, unconstitutional and direct the 4th Respondent to provide First Honour to Mr. N.V. Nallapitchan, who was selected by the Pooncholai Vagaiyara People as per the Judgment and Decree dated 24.12.1953 under O.S. No. 14 of



1952 and pass such other or further orders as this Honble Court may deem fit and proper in the circumstances of this case and thus render justice.

For Petitioner : Mr.K.R.Laxman

For R1 & R3 : Mr.R.Parthiban
Counsel for the State of Tamil Nadu

For R4 : Mr.V.Chandrasekar
Standing Counsel

For R5 and R6: Mr.VR.Shanmuganathan

For R2 : Mr.S.Venkatesh
Counsel for the State of Tamil Nadu

WP(MD) No. 21551 of 2026:-

1. Mahamani Ambalam Son of Periapuliyan
Ambalam, 12/33, Ayyan Kovil Street,
A.Vallalapatti Village, Melur Taluk,
Madurai District
2. Ramakrishnan Ambalam, Son of Karuppannan
Ambalam 110/10A, Puliapatti, A.Vallalapatti,
Melur Taluk, Madurai District

..Petitioner(s)

Vs

1. The Joint Commissioner HR and CE, Madurai
2. Arulmighu Kallalagar Thirukovil, Through its
Chairman Board of Trustees, Azhagar Kovil,
Melur Taluk, Madurai District
3. The Executive Officer, Arulmighu Kallalagar
Thirukovil, Azhagar Kovil, Melur Taluk,
Madurai District
4. The District Collector, Madurai
5. The Revenue Divisional Officer, Madurai North,
Madurai
6. The Superintendent of Police, Madurai District
7. K.Thavamani, Son of Karuppanan, NO.8, Ayyan
Kovil Street, A.Vallalapatti, Melur Taluk,
Madurai District



8. Nallapichan, Son of Veeranan, 3/395,
Meenakshi Nagar Kollangulam, Appan
Thirupathi, Madurai District

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..Respondent(s)

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned proceeding in Na.Ka.No.964/2026/A4-1 dated 24.07.2026 of the 3rd respondent and quash the same and consequently direct the respondents 2 and 3 to confer all the rights and honours to the 2nd petitioner that he is entitled to receive as Ambalakarar, by rotation, representing Vadakkutheru-A.Vallalapatti-Mela Valaru, during Adi Car festival of Arulmighu Kallalagar Thirukovil and ensure the religious practice and pass such further or other orders as this Hon'ble Court may deem fit and proper in the circumstances of the case and thus render justice.

For Petitioners:

Mr.VR.Shanmuganathan

For Respondent(s):

Mr.S.Venkatesh

Counsel for the State of Tamil Nadu for R1

Mr.V,Chandrasekar

Standing Counsel for R2 and R3

Mr.R.Parthiban

Counsel for the State of Tamil Nadu for R4 and R5

Mr.P.Vetrivel

Government Advocate (Criminal side) for R6

Mr.K.R.Laxman for R8



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COMMON ORDER

By this common order, both the Writ Petitions are disposed of.

2. W.P.(MD) No.21612 of 2026 has been filed by one Nalla Pitchan, who claims entitlement to certain customary rights and privileges in connection with the Temple festival scheduled to be held on 29.07.2026 (tomorrow) at Arulmigu Kallalagar Temple, Alagarkoil, Madurai. The petitioner has challenged the impugned communication of the third respondent / Revenue Divisional Officer, Melur, Madurai District, bearing Reference No.Na.Ka.No.880/2026/C, dated 27.07.2026.

3. The petitioner has already instituted proceedings under Section 63(e) of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959 (hereinafter referred to as "the H.R. and C.E. Act") in O.A. No.34 of 2024, which is still pending enquiry before the second respondent / Joint Commissioner. In the present Writ Petition, the challenge to the impugned communication issued by the third respondent is primarily on the ground that the Revenue Divisional Officer has no jurisdiction to determine the person entitled to the first honours or privileges during the Temple festival scheduled to be held on 29.07.2026 at Arulmigu Kallalagar Temple.



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4. It is the specific contention of the petitioner that the third respondent / Revenue Divisional Officer cannot usurp the jurisdiction vested in the second respondent under the provisions of the H.R. and C.E. Act. In response, the learned Standing Counsel appearing for the respondents 1 and 3 submitted that the impugned proceedings were issued solely with a view to preventing any untoward incident during the Temple festival and to ensure the maintenance of law and order. In this regard, specific reference was made to paragraph 3 of the impugned proceedings, which reads as follows:

அருள்மிகு கள்ளழகர் கோயில் திருத்தேரோட்ட நிகழ்வில் பொதுமக்கள் அனைவரும் அமைதியான முறையில் திருவிழாவில் பங்கேற்க ஏதுவாக திருவிழா நடைபெற வேண்டும் என்ற நோக்கமே முதன்மையானது என ஆலோசனைக் கூட்டத்தில் அனைவருக்கும் எடுத்துரைக்கப்பட்டது. மேலும் மரபு வழக்கங்களின்படி உரிமை கோருதல் தொடர்பாக கரைகாரர்கள் மாண்புமிகு நீதிமன்ற உத்தரவின் படி இந்து சமய அறநிலை துறை மண்டல இணை ஆணையர் அவர்களிடம் மனு செய்து பரிகாரம் தேடிக்கொள்ள அறிவுறுத்தப்பட்டது. நடைபெறும் கலந்த ஆலோசனை கூட்டம் சட்டம் ஒழுங்கு பிரச்சனைகளை தவிர்க்கும் அடிப்படையில் நடைபெறுகிறது என்று தெளிவுபடுத்தப்பட்டது.

4. A reading of the impugned proceedings reveals that a summons dated 25.07.2026 was issued calling upon the petitioner and others to appear for an enquiry on 26.07.2026 at 03.30 p.m. The impugned proceedings of the third respondent / Revenue Divisional Officer, bearing Reference No.880/2026/C,

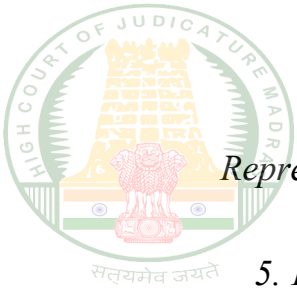


dated 25.07.2026, further disclose that, upon conducting the enquiry, the third respondent recorded that the sixth respondent enjoys the support of 42 Ambalakarars (Headmen) from different Villages, who are entitled to the privilege of pulling the Temple Car and are to be conferred the said honour once in every sixteen years.

5. W.P.(MD)No.21551 of 2026 has been filed challenging the proceedings of the third respondent / Executive Officer, Arulmigu Kallalagar Thirukovil, passed pursuant to the order of this Court dated 21.07.2026 in W.P. (MD) No.20610 of 2026. In the said Writ Petition, the very same petitioner had sought a direction to the respondents therein to consider his representation dated 10.07.2026 and consequently, direct the second respondent / Joint Commissioner to accord the traditional Temple Car rope honour (Thervadamariyadhai) and the Main Parivattam honour to A. Ramakrishnan during the Aadi Car Festival scheduled to be held on 29.07.2026 at Arulmigu Kallalagar Temple, Alagarkoil, Madurai District.

6. Taking note of the prevailing circumstances, this Court had passed the following order:

“4. Since the Temple Festival is scheduled to be held on 29.07.2026, the Third Respondent is directed to pass appropriate orders pursuant to the enquiry scheduled to be held tomorrow, as expeditiously as possible, after issuing due notice to all persons who are likely to be aggrieved by the decision to be taken by the Third Respondent on the Petitioner's



Representation dated 10.07.2026.

5. It is made clear that the honour and privilege sought to be conferred on Mr.A.K.Ramakrishnan, whom the Petitioner proposes to honour, shall be strictly in accordance with the provisions of the Hindu Religious and Charitable Endowments Act, 1959.

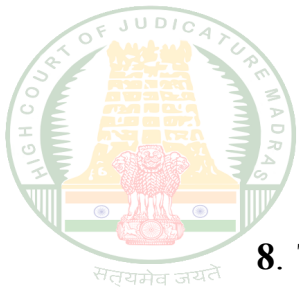
6. With the above observations, this Writ Petition stands disposed of. There shall be no order as to costs.''

7. The proceedings passed by the Executive Officer, which are impugned in W.P.(MD) No.21551 of 2026, ultimately hold that there are rival claims in respect of the customary privilege and that, in view of the pendency of O.A. No.34 of 2024, instituted at the instance of the petitioner in W.P.(MD) No.21612 of 2026, the request of the petitioners in W.P.(MD) No.21551 of 2026 to confer the said privilege upon A.K.Ramakrishnan cannot be acceded to. The operative portion of the said proceedings reads as follows:

ஆகவே மனுதாரர்கள் குறித்த மனு தொடர்பாக மண்டல இணை ஆணையர் அல்லது சிவில் நீதிமன்றம் மட்டுமே தீர்வு காண இயலும் என்பதால் மனுதாரர்கள் மூவரையும் தகுந்த சிவில் நீதிமன்றத்தையோ அல்லது மண்டல இணை ஆணையரையோ அணுகி பரிகாரம் தேடிக்கொள்ள வேண்டும் என இதன் மூலம் தெரிவித்துக் கொள்ளப்படுகிறது.

ஏற்கெனவே மேலே குறிப்பிட்டுள்ள, அசல் மனு எண்: 34/2025 மண்டல இணை ஆணையர் நீதிமன்றத்தில் மேலவளவு அம்பலகாரர்கள் யார் என்பது குறித்து சர்ச்சை இன்றும் முடிவு பெறாமல் நிறுவையில் உள்ள சூழ்நிலையில் மனுதாரர் மூவரின் மனுவும் ஏற்றுக் கொள்ளதக்க தல்ல என முடிவு செய்து தள்ளுபடி செய்யப்படுகிறது.

இவ்வுத்தரவினை எதிர்த்து மனுதாரர்கள் இந்து சமய அறநிலையத் துறைச் சட்டப்பிரிவு 21-ன் கீழ் ஆணையரிடமோ, 63(e)-ன் கீழ் மண்டல இணை ஆணையரிடமோ வழக்குத் தாக்கல் செய்ய உரிமை உள்ளது என்பதையும் தெரிவித்து மனுக்கள் முடித்து வைக்கப்படுகின்றன.

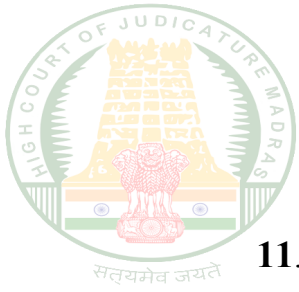


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8. The learned counsel for the petitioner in W.P.(MD)No.21612 of 2026 submitted that the claim of the sixth respondent, represented by the petitioner in W.P.(MD)No.21551 of 2026, that he enjoys the support of 42 Ambalakarars could not have been adjudicated by the third respondent / Revenue Divisional Officer. It was contended that the exercise undertaken by the Revenue Divisional Officer was wholly without jurisdiction and amounted to usurping the jurisdiction vested exclusively in the Joint Commissioner under Section 63(e) of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959 (hereinafter referred to as "the H.R. and C.E. Act").

9. It was further submitted that the summons dated 25.07.2026 was served only at 11.00 a.m. on 26.07.2026, requiring the parties to appear for an enquiry at 03.30 p.m. on the very same day. Therefore, it was argued that the question as to whether A.K.Ramakrishnan enjoyed the support of 42 Ambalakarars could not have been properly determined within such a short span of time.

10. Per contra, the learned counsel for the petitioners in W.P.(MD) No.21551 of 2026, who espouses the cause of the sixth respondent in W.P.(MD) No.21612 of 2026, namely, A.K.Ramakrishnan, submitted that the sixth respondent is the grandson of the erstwhile Ambalakarar and, by virtue of such lineage, is entitled to the customary privilege as an Ambalakarar.

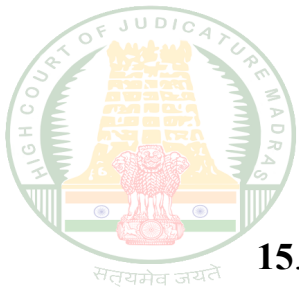


11. It was further submitted that the petitioner in W.P.(MD) No.21612 of 2026 enjoys the support of only 15 villagers and not that of the 52 Ambalakarars. It was also contended that the petitioner, Nalla Pitchan, is not one among the descendants of the North Street, A.Vallalapatti, Melavalavu Branch.

12. The learned counsel further submitted that the customary rights recognised from time immemorial cannot be defeated at the instance of a third party who does not belong to any of the 52 Ambalakarars of the North Street. Therefore, it was prayed that W.P.(MD) No.21612 of 2026 be dismissed and W.P.(MD) No.21551 of 2026 be allowed.

13. It was also submitted that, for the past three years commencing from 2023, requests for issuance of “Thirumugam” had been made to the H.R. and C.E. Department and that, pursuant to the proceedings of the Revenue Divisional Officer, invitation cards had also been printed and distributed declaring that A.K.Ramakrishnan would receive the first honour during the Temple Festival scheduled on 29.07.2026.

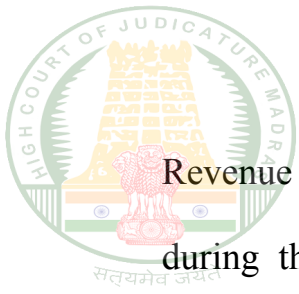
14. This Court has carefully considered the rival submissions made by the learned counsel on either side.



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15. It is noticed that the privilege in question pertains to the Ambalakarars of the Melavalavu Branch of A.Vallalapatti, whose turn arises only once in sixteen years. Their next turn would arise only in the year 2040. There exists an *inter se* dispute as to the person who is entitled to receive the customary honour, namely, whether it is A.K.Ramakrishnan, the sixth respondent in W.P.(MD) No.21612 of 2026, whose cause is espoused by the petitioners in W.P.(MD) No.21551 of 2026, or the petitioner in W.P.(MD) No.21612 of 2026, or any other eligible person. That dispute is the subject matter of O.A.No.34 of 2024 pending before the Joint Commissioner under Section 63(e) of the H.R. and C.E. Act. It is not clear as to why the said Original Application has been kept pending for more than two years without being disposed of.

16. Considering the fact that the privilege is conferred only once in sixteen years upon the members of the North Street, A.Vallalapatti, Melavalavu Branch, this Court is of the considered view that the exercise undertaken by the third respondent / Revenue Divisional Officer, which is impugned in W.P.(MD) No.21612 of 2026, is wholly without jurisdiction. The Revenue Divisional Officer cannot usurp the statutory powers vested in the Joint Commissioner under Section 63(e) of the H.R. and C.E. Act. It is a settled principle of law that where the statute prescribes that a thing shall be done in a particular manner, it shall be done only in that manner and in no other manner. At the highest, if the



Revenue Divisional Officer apprehended any breach of peace or law and order during the Temple Festival, appropriate preventive orders could have been passed in exercise of the powers available under Section 152 of the Bharatiya Nagarik Suraksha Sanhita, 2023. However, the Revenue Divisional Officer could not have undertaken the exercise of determining the entitlement to the customary honour.

17. Accordingly, the proceeding of the Revenue Divisional Officer dated 27.07.2026, impugned in W.P.(MD) No.21612 of 2026, cannot be sustained and are liable to be quashed. It is, accordingly, quashed.

18. Insofar as the proceedings of the Executive Officer dated 24.07.2026, which are impugned in W.P.(MD) No.21551 of 2026, are concerned, this Court finds no infirmity therein. The said proceedings were passed pursuant to the earlier order of this Court dated 21.07.2026 made in W.P.(MD) No.20610 of 2026 and are consistent not only with the directions issued by this Court but also with the scheme of Section 63(e) of the H.R. and C.E. Act.

19. The subsequent proceedings of the Revenue Divisional Officer could neither override nor dilute the proceedings of the Executive Officer dated 24.07.2026.



20. In the result, W.P.(MD) No.21612 of 2026 is allowed and W.P.(MD)

No.21551 of 2026 is dismissed. It is made clear that, pending disposal of O.A.

No.34 of 2024, the Temple authorities shall not confer the first honour upon any

person in respect of the privilege in dispute. No costs. Consequently, connected

Miscellaneous Petitions are closed.

21. Since O.A.No.34 of 2024 has remained pending from the year 2024,

the second respondent / Joint Commissioner is directed to complete the enquiry

and pass appropriate orders as expeditiously as possible, so that, there is no

uncertainty or last-minute confusion when the next occasion for conferring the

said privilege arises in future.

28-07-2026

Index: Yes/No

Speaking/Non-speaking order

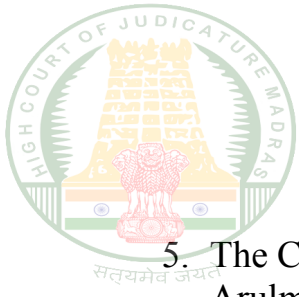
Neutral Citation: Yes/No

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Note: Issue order copy on 28.07.2026.

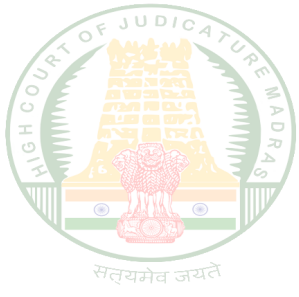
To

1. The District Collector, O/o. District Collector, Madurai, Madurai District.
2. The Joint Commissioner, Hindu Religious and Charitable Endowments (HR and CE) Department, Madurai Region, Madurai.
3. The Revenue Divisional Officer, Melur, Madurai District.
4. The Executive Officer, Arulmigu Kallalagar Temple, Alagar Kovil, Madurai District.



5. The Chairman Board of Trustees
Arulmighu Kallalagar Thirukovil, Azhagar Kovil, Melur Taluk,
Madurai District
6. The Superintendent of Police, Madurai District.

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WP(MD) No. 21612 of 2



C.SARAVANAN J.

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WP(MD) No. 21612 of 2026 and WP(MD)No.21551 of 2026

28-07-2026