



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.12.2020

CORAM:

THE HONOURABLE MR.JUSTICE N. KIRUBAKARAN

AND

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P. (MD)No.15911 of 2020

S.Somasundaram

... Petitioner

Vs.

1. The Secretary,
Hindu Religious & Charitable
Endowment Board,
Secretariat, Chennai.
2. The Commissioner,
Hindu Religious & Charitable
Endowment Board,
Chennai.
3. The Joint Commissioner,
Hindu Religious & Charitable
Endowment Board, Madurai District.
4. The Deputy Commissioner,
Arulmigu Kallazhagar Temple and
Solaimalai Murugan Temple,
Alagarkoil,
Madurai District.

... Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India, for the issuance of Writ of Mandamus, to direct the respondents 1 and 2 to include the name of Solaimalai Murugan Temple along with the name of Arulmighu Kallazhagar Temple in the official website of Hindu Religious & Charitable Endowment Department by considering the petitioner's representation dated 01.10.2020 and 07.10.2020.

For Petitioner : Mr.T.Lenin Kumar

For Respondents: Mr.K.P.Narayanakumar

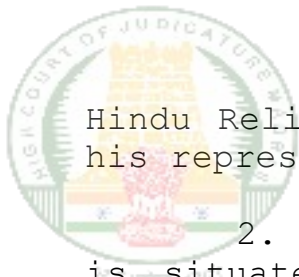
Special Government Pleader for R1 to R3

Mr.K.R.Laxman for R4

ORDER

[Order of the Court was made by **N. KIRUBAKARAN, J.**]

The petitioner has come before this Court seeking for the issuance of a Writ of Mandamus, to direct the respondents 1 and 2 to include the name of Solaimalai Murugan Temple along with the name of Arulmighu Kallazhagar Temple in the official web-site of



Hindu Religious & Charitable Endowment Department, by considering his representation, dated 01.10.2020 and 07.10.2020.

2. According to the petitioner, Solaimalai Murugan Temple is situated at Alagarmalai. There was a dispute between the Saivaites and Vaishnavaites, which resulted in filing of a suit before the District Munsif, Madurai and the matter went up to the filing of Second Appeal in S.A.No.839 of 1962 before this Court. In the Second Appeal, this Court declared that the Mandapam of Solaimalai Murugan Temple belongs to the Arulmighu Kallazhagar Devasthanam. When a things stand so, the respondents removed the name of Solaimalai Murugan Temple from the official web-site of Arulmighu Kallazhagar, namely, the fourth respondent. Therefore, the petitioner gave a representation, dated 01.10.2020, to include the name of Solaimalai Murugan Temple in the official website of Arulmighu Kallazhagar Kovil. Since no action has been taken, the petitioner has come before this Court.

3. Heard Mr.T.Lenin Kumar, learned counsel for the petitioner and Mr.K.P.Narayanakumar, learned Special Government Pleader, appearing for the respondents 1 to 3 and Mr.K.R.Laxman, learned counsel appearing for the fourth respondent.

4. It is evident from the judgment, dated 23.10.1967, in S.A.No.839 of 1962, which has been passed pursuant to the compromise reached between the parties that the Mandapam shall be known and called as before as "Solaimalai Mandapam" or "Pulikku Michan Medu" or "Sambalputhur Mandapam" and all Boards referring to Pazhamudhir Solai would be removed and the suit property is declared as the property of Arulmigu Kallalagar Devasthanam, namely, the 4th respondent.

5. In this regard, G.O.(Ms) NO.36, dated 20.01.2009 has been passed appointing Non-Hereditary Trust, both for Kallazhagar Temple as well as for Arulmigu Solaimalai Murugan Temple. When this Court had already declared that the property of Solaimalai Temple belongs to the Arulmighu Kallalagar Temple, it is the bounden duty of the respondents to include the name of Solaimalai Murugan Temple along with the name of Arulmighu Kallazhagar Temple in the official website of Hindu Religious & Charitable Endowment Department.

6. Further, it is the fact that the devotees consider the Solaimalai Murugan Temple as one of the abodes of Lord Muruga, which is considered as "Pazhamudircholai". Therefore, Solaimalai Murugan Temple should be maintained as one of the abodes of Lord Muruga.

7. Therefore, the authorities are directed to act as per



the order passed by this Court in S.A.No.839 of 1962 and include the name of Solaimalai Murugan Temple along with the name of Arulmighu Kallazhagar Temple in the official website of Hindu Religious & Charitable Endowment Department.

8. With the above direction, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (P&A)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

ogy

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1. The Secretary,
Hindu Religious & Charitable
Endowment Board,
Secretariat, Chennai.
2. The Commissioner,
Hindu Religious & Charitable
Endowment Board, Chennai.
3. The Joint Commissioner,
Hindu Religious & Charitable
Endowment Board, Madurai District.
4. The Deputy Commissioner,
Arulmigu Kallazhagar Temple and
Solaimalai Murugan Temple,
Alagarkoil, Madurai District.

+1 cc to The Special Government Pleader Sr.No.25562

W.P. (MD)No.15911 of 2020

11.12.2020

KM (05.01.2021) 3P 6C