



WEB COPY



WP No. 24520 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-07-2025

CORAM

THE HON'BLE MR JUSTICE N. ANAND VENKATESH

W.P No. 24520 of 2025

Arulmighu Muthukumarsamy Tirukovil
Rep. By Its Kaariya Committee Member, T. Sasikumar
M/a S/o. Thangavel, Door No.121 A, Perantharkadu,
Komarapalayam Taluk, Namakkal District-638183.

..Petitioner(s)

Vs

1. The Commissioner
Hindu Religious And Charitable Endowments
Department, Door No.119, Uthamar Gandhi Road,
Nungambakkam, Chennai-600 034.
2. Joint Commissioner
Hindu Religious And Charitable Endowments
Department, Perundurai Road,
Veerappanchatiram, Nggo Colony, Erode -638011
3. Deputy Commissioner
Hindu Religious And Charitable Endowments
Department, Namakkal.
4. The Assistant Commissioner
Hindu Religious And Charitable Endowments
Department, Namakkal
5. The Inspector
Hindu Religious And Charitable Endowments
Department, Komarapalayam, Namakkal District-
638183.



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6. Senthil Kumar

S/o. Sellapan, Door No.22, Cheran Nagar, Edapadi
Road, Komarapalayam Taluk, Namakkal-638183

..Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India forbearing the respondents 1 to 6 from interfering in the Balalayam process schedule on 07.07.2025 and not to interfere in the renovation works for the Kumbhabhishekam in Arulmigu Muthukumarasamy Temple situated in Chinnapa Nayakanpalayam Village, Komarapalayam Town and Taluk, Namakkal District by considering petitioner representation dated 22.06.2025.

For Petitioner : M.Guruprasad

For Respondents : Mr.K.Karthikeyan
Government Advocate

ORDER

This writ petition has been filed for the issuance of a Writ of Mandamus forbearing the respondents 1 to 6 from interfering in the Balalayam process scheduled on 07.07.2025 and also not to interfere in the renovation works for the Kumbabhishekam in Arulmighu Muthukumarasamy Temple situated in Chinnappa Nayakanpalayam Village, Komarapalayam Town and Taluk, Namakkal District by considering the representation made by the petitioner on 22.06.2025.



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2. Heard Mr.M.Guruprasad, learned counsel for the petitioner and Mr.K.Karthikeyan, learned Government Advocate appearing for the respondents 1 to 5.

3. The case of the petitioner is that the Arulmighu Muthukumaraswamy Temple is 300 years old temple, which was built by the ancestors of the petitioner belonging to Senguntha Mudaliar community. The administration of the said temple is done by the persons belonging to the said community and at no point of time this temple was maintained by the HR and CE Department. Even the temple priest is appointed by persons belonging to the community. That apart, all the expenses is borne by the community people and the temple is worshipped by following customary practices and there is no restriction for the general public to visit the temple and to offer prayers.

4. The petitioner was aggrieved by the fact that the sixth respondent was appointed as a non-hereditary trustee of the temple. Immediately thereafter, the petitioner filed an appeal before the second respondent questioning the appointment of the sixth respondent as the non-hereditary trustee. The same is



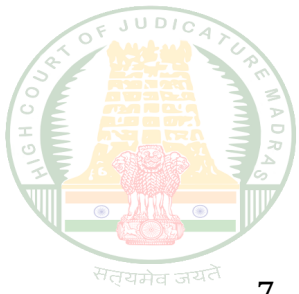
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pending. In the meantime, steps were taken to conduct the Balalayam process and to renovate the temple in order to conduct Kumbabhishekam. A representation was made in this regard on 22.06.2025. Since the same was not acted upon, the present writ petition has been filed before this Court.

5. When the writ petition was taken up for hearing today, it was brought to the notice of this Court that the Balalayam scheduled on 07.07.2025 went on smoothly. What is left in the present writ petition is regarding the renovation that has to be carried out in the temple for conducting Kumbabhishekam in the temple.

6. Learned Government Advocate appearing on behalf of the HR and CE Department submitted that it is a 300 year old temple and hence the renovation cannot be done in a regular manner and the guidelines issued by the Division Bench of this Court in a Suo-Motu Writ Petition has to be followed. Learned counsel further submitted that the temple is already under the control and administration of the sixth respondent who is the non-hereditary trustee. He further confirmed the fact that the appeal filed by the petitioner against the appointment of the sixth respondent as non-hereditary trustee is pending.



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7. Learned counsel for the petitioner submitted that the second respondent has adjourned the case to 24.07.2025 and in the meantime, the petitioner is prevented from going ahead with the renovation works.

8. In the considered opinion of this Court, the Balalayam has already been conducted on 07.07,2025 and therefore, if the petitioner does not proceed further with the renovation works, it will unnecessarily interfere with the sentiments and may result in law and order problem. In any case, the appeal filed by the petitioner is pending before the second respondent questioning the appointment of the sixth respondent as the non-hereditary trustee. This Court can issue direction to the second respondent to deal with the said appeal and to pass final orders. In the meantime, as a temporary arrangement, the petitioner can be directed to go ahead with the renovation works in order to complete the same and perform Kumbabhishekam in the temple. It is made clear that this direction is more in the nature of an interim arrangement to ensure that the Kumbabhishekam work is not interfered since Balalayam has already commenced. Ultimately, the final decision taken by the second respondent will bind the petitioner insofar as the future administration of the temple is concerned.



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9. In the result, this writ petition is disposed of with a direction to the second respondent to dispose of the pending appeal within a period of eight weeks from the date of receipt of a copy of this order after affording opportunity to the petitioner and the sixth respondent. In the meantime, the petitioner is permitted to do the renovation works and conduct Kumbabhishekam without prejudice to the rights of the sixth respondent, who has already been appointed as non-hereditary trustee. The second respondent is directed to grant temporary permission to the petitioner to perform the Kumbabhishekam, which can be attended by all devotees.

10. The writ petition is disposed of in the above terms. No costs.

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Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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