



W.P(MD)No.3374 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.02.2025

CORAM:

**THE HONOURABLE MRS.JUSTICE J.NISHA BANU
and
THE HONOURABLE MRS.JUSTICE S.SRIMATHY**

W.P(MD)No.3374 of 2025

and

W.M.P(MD)Nos.2372, 2373, 2770 & 2771 of 2025

Hindu Dharma Parishad,
Represented by K.K.Ramesh,
Managing Trustee,
31, CMR Road,
Kamarajar Salai,
Madurai – 625 009,
Tamil Nadu.

... Petitioner

vs.

- 1.The Union of India,
Represented by its Home Secretary,
Ministry of Home Affairs,
North Block,
New Delhi – 110001.
- 2.The Union of India,
Represented by its Secretary,
Minister of Culture,
501, 'C' Wing Shastri Bhawan,
New Delhi – 110 015.



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- 3.The Director (Science),
Archaeological Survey of India,
Puratattva Bhawan,
6th Floor D-Block,
New Delhi – 110 023.
- 4.The Director,
Archaeological Survey of India,
Dharohar Bhawan,
24, Tilak Marg,
New Delhi – 110 001.
- 5.The State of Tamil Nadu,
Represented by its Home Secretary,
Fort St.George,
Secretariat,
Chennai – 600 009.
- 6.The State of Tamil Nadu,
Represented by its Secretary,
Department of Archaeology,
Secretariat,
Chennai - 600009.
- 7.The State of Tamil Nadu,
Represented by its Secretary,
Hindu Religious and Charitable Endowments Department,
Secretariat,
Chennai – 600 009.
- 8.The Commissioner,
Hindu Religious and Charitable Endowments Department,
119, Uthamar Gandhi Salai,
Nungambakkam,
Chennai - 34.



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- 9.The Archaeological Officer,
Department of Archaeology,
Tamil Valarchi Valaagam,
Thamizh Salai,
Egmore,
Chennai – 600 008.
- 10.The Director General of Police,
Dr.Radhakrishna Salai,
Chennai.
- 11.The Archaeological Officer,
Department of Archaeology,
Palace Road,
Madurai HO,
Madurai - 625001.
- 12.The District Collector,
Madurai District,
Madurai.
- 13.The Commissioner of Police,
Madurai City,
Alagarkoil Road,
Madurai.
- 14.The joint Commissioner / Executive officer,
Arulmigu Subramaniaswamy Temple,
Thirupparankundram,
Madurai – 625 005.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the all respondents to A.To the entire Thiruparankundram hill should be brought under the control of



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the respondents 2 to 4 (the Central Archaeological Department), B.To Permission to climb Thirupprankundram Hill Must be obtained from the Central Archaeological Department before being allow to do so C. To the temple complex in the mountains must be protected D.To The Temples on Thirupparankundram Hill Should be protected E.To the Umaiyandar Kudaivar Temple behind Thirupparankundram hill Should be protected F.To the debris and engrossments around Thirupparankundram Hill should be removed and G.By considering the petitioner's representation dated 29.01.2025.

For Petitioner	: Mr.T.R.Subramanian
For RR 1 to 4	: Mr.K.Govindaraj Deputy Solicitor General
For RR 5 to 9, 11 & 12	: Mr.P.Thilak Kumar Additional Advocate General Assisted by Mr.P.Thilak Kumar Government Pleader
For RR 10 & 13	: Mr.Hasan Mohammed Jinnah State Public Prosecutor Assisted by Mr.S.Ravi Additional Public Prosecutor
For R – 14	: Mr.S.Manohar



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ORDER

(Order of the Court was made by J. NISHA BANU, J.)

The petitioner has filed the present Writ Petition for a direction directing the respondents A.To the entire Thiruparankundram hill should be brought under the control of the respondents 2 to 4 (the Central Archaeological Department), B.To Permission to climb Thirupprankundram Hill must be obtained from the Central Archaeological Department before being allow to do so C. To the temple complex in the mountains must be protected D.To The Temples on Thirupparankundram Hill Should be protected E.To the Umaiyandar Kudaivar Temple behind Thirupparankundram hill Should be protected F.To the debris and engrossments around Thirupparankundram Hill should be removed and G.By considering the petitioner's representation dated 29.01.2025.

2.When the matter is taken up for hearing today, it is stated that as per Section 3 of the Places of Worship (Special Provisions) Act, 1991, there is a specific bar in conversion of places of worship. Further, the Hon'ble Apex Court had specifically stayed in the case of *Ashwini Kumar Upadhyay Vs. Union of India in W.P(C)No.1246 of 2020*, dated 12.12.2024 that “no further suits can be



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registered in the country against places of worship till further orders from the Supreme Court, it further directed that in pending suits (such as those concerning Gyanvapi Mosque, Mathura Shahi Idgah, Sambhal Jama Masjid etc) Courts should not pass effective interim or final orders including order for survey.”

3.In view of the above, liberty is granted to the petitioner to give a fresh representation to the respondents 2 to 4 and the authority concerned is directed to consider and pass appropriate orders, on merits and in accordance with law, after affording due opportunity to all the interested parties concerned, as expeditiously as possible.

4.Accordingly, this Writ Petition is disposed of. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

[J.N.B.,J.] & [S.S.Y.,J.]
19.02.2025
(3/3)

NCC : Yes / No
Index : Yes / No
Internet : Yes

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To

- 1.The Home Secretary,
Represented by Union of India,
Ministry of Home Affairs,
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- 2.The Secretary,
Represented by Union of India,
Minister of Culture,
501, 'C' Wing Shastri Bhawan,
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- 3.The Director (Science),
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Puratattva Bhawan,
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- 6.The Secretary,
Represented by the State of Tamil Nadu,
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Secretariat,
Chennai - 600009.
- 7.The Secretary,
Represented by the State of Tamil Nadu,
Hindu Religious and Charitable Endowments Department,
Secretariat,
Chennai – 600 009.
- 8.The Commissioner,
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12.The District Collector,
Madurai District,
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14.The joint Commissioner / Executive officer,
Arulmigu Subramaniaswamy Temple,
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J.NISHA BANU, J.
and
S.SRIMATHY, J.

ps

ORDER MADE IN
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DATED : 19.02.2025
(3/3)

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