



W.P.(MD) No.12290 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 28.04.2025

CORAM:

THE HONOURABLE **MRS.JUSTICE J.NISHA BANU**

AND

THE HONOURABLE **MRS.JUSTICE S.SRIMATHY**

W.P.(MD)No.12290 of 2025

M.V.S.Rajendranath

... Petitioner

-Vs-

- 1.The Secretary to Government,
Tamil Development, Religious Endowment
and Information Department,
Secretariat, Chennai-09.
- 2.The Commissioner,
Hindu Religious and Charitable Endowment
Department, Nungambakkam,
Chennai.
- 3.The Joint Commissioner,
Hindu Religious and Charitable Endowment
Department, Tirunelveli Region,
Tirunelveli.
- 4.The Executive Officer,
A/m.Muthumalaiamman Thirukkivil,
Mukkoodal, Ambasamuthiram Taluk,
Tirunelveli District.
- 5.D.S.A.Sivaprakasam

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6.P.Ponnarasu

7.N.Maheswaran

8.V.Vijayasekar

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 4 to remove the inscription (கல்வெட்டு) placed by the respondents 5 to 8 in the public temple of Arulmigu Muthumaalai Amman, Mukkoodal Village contending that the Kumbabhishekam conducted by them only on 19.05.2024 overlooking the HR and CE Department even atleast considering the petitioner's representation dated 12.09.2024.

For Petitioner : Mr.R.Sevugaraja

For R1 to R3 : Mr.P.Thilak Kumar,
Government Pleader

For R4 : Mr.H.Arumugam

For R5 to R8 : Mr.D.Nallathambi

ORDER

[Order of the Court was made by *J.NISHA BANU, J.*]

By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

2.It is the case of the petitioner that the temple called Arulmigu Muthumaalai Amman situated at Mukkoodal Village is under the control of HR & CE Department and it is administering by the respondents 1 to 4. The respondents

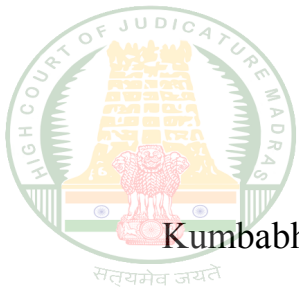
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5 to 8, who are the village residents, used to collect money illegally from the public by using the name of the said temple by printing false donation receipts, pamphlets and falsely saying that they are the trustees and festival committee members. In order to protect the public from the exploitation as well as funds of the temple, the petitioner approached the respondents 1 to 4 and the District Collector from the year 2011 itself. Pursuant to the same, the respondents 1 to 4 passed several orders and the 4th respondent has also lodged several complaints against the 5th respondent. Though the Police has registered several cases formally against the 5th respondent in Crime Nos.228 of 2012, 243 of 2013, 71 of 2015 and 99 of 2016, the said cases have not been properly investigated and final report has also not been filed before the Court concerned.

3.In the meantime, the 3rd respondent has passed an order dated 21.08.2013, preventing culprits from interfering with the peaceful administration of the temple festivals by the 4th respondent. Thereafter, in the year 2014, the 5th respondent and his team had started their illegal collection of donation. At that time, the 4th respondent has passed an order on 17.03.2014, preventing the respondents 5 to 8 from collecting illegal donation. Challenging the same, the 5th respondent and others filed W.P.(MD)No.4929 of 2014, which was dismissed as withdrawn. Thereafter, the respondents 5 to 8 are taking steps to conduct



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Kumbabhishekam independently for the temple in question. Therefore, the petitioner sent a representation on 01.03.2024 to the respondents 1 to 4, requesting them not to allow the respondents 5 to 8 and other 3rd parties to perform Kumbabhishekam independently.

4. Pending the said representation, the respondents 5 to 8 casually published notifications that they are going to conduct Kumbabhishekam on 19.05.2024 and collected money from the public issuing pamphlets, printing receipts in the name of the temple. Since the said representation had not been considered, the petitioner filed W.P.(MD)No.10795 of 2024, wherein this Court directed the respondents 1 to 4 to conduct Kumbabhishekam independently without allowing any 3rd parties. However, the respondents 5 to 8 independently conducted Kumbabhishekam. Therefore, the petitioner filed Cont.P.(MD)No.1488 of 2024. At the time of hearing, the 4th respondent appeared before this Court and by producing a small pamphlet stated that he alone conducted Kumbabhishekam. Therefore, the said Contempt Petition was closed.

5. Taking advantage of the same, the respondents 5 to 8 have placed the inscription (கல்வெட்டு), contending that Kumbabhishekam was conducted by them only on 19.05.2024. Therefore, the petitioner sent a representation dated



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12.09.2024 to remove the said inscription. However, the same is still pending

without any progress. Therefore, he has filed this Writ Petition.

6. On perusal of the records, we are of the view that though the petitioner has filed this Writ Petition as Public Interest Litigation, to remove the inscription (கல்வெட்டு) placed by the respondents 5 to 8 in the public temple, namely, Arulmigu Muthumaalai Amman, Mukkoodal Village, sitting under Article 226 of the Constitution of India, we cannot devolve into such disputed facts. If at all the petitioner is aggrieved, he can go before the appropriate forum if so advised. Accordingly, this Writ Petition stands dismissed. No costs.

[J.N.B., J.] & [S.S.Y., J.]
28.04.2025

NCC : Yes / No
Index : Yes / No

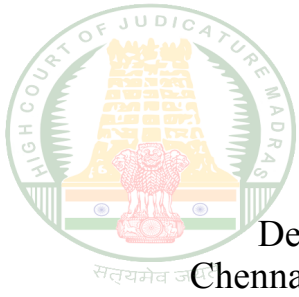
Yuva

To

1. The Secretary to Government,
Tamil Development, Religious Endowment
and Information Department,
Secretariat, Chennai-09.

2. The Commissioner,
Hindu Religious and Charitable Endowment

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Department, Nungambakkam,
Chennai.

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3.The Joint Commissioner,
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