

W.P.(MD)Nos.14567 & 14654 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **21.05.2025**

CORAM:

**THE HONOURABLE MRS.JUSTICE S.SRIMATHY
AND
THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

**Writ Petition(MD)Nos.14567 & 14654 of 2025
and
W.M.P(MD)Nos.10817 & 10874 of 2025**

R.Sivarama Subramaniya Sasthirigal,
Vidhayahar,
Arulmigu Subramaniya Swamy Thirukoil,
No.42/27, 2nd Sandhi Lane,
Thiruchendur – 628 215,
Thoothukudi District.

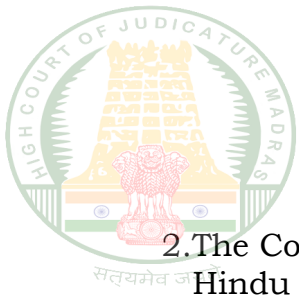
..Petitioner in W.P(MD)No.14667 of 2025

Sri Subramaniya Swamy Thirukoil Swathanthira Paribalana
Sthalathargal Saba, Regd. No.12/96,
Rep. by its President M.Veerabaghu Moorthy,
S/o Mahadevan,
No.37, Thuvadasi Madam,
Teppakulam Street,
Thiruchendur – 628 215,
Thoothukudi District.

..Petitioner in W.P(MD)No.14654 of 2025

Vs

1.The State of Tamil Nadu,
Rep. by the Secretary to Government,
Hindu Religious and Charitable Endowments Department,
Secretariat,
Chennai – 600 009.



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2.The Commissioner,
Hindu Religious and Charitable Endowments,
139, Uthamar Gandhi Salai,
Nungambakkam,
Chennai – 600 034.

3.The Executive Officer / Joint Commissioner,
Thiruchendur Temple,
Thiruchendur.

4.The Thakhar / Fit Person,
Thiruchendur Temple,
Thiruchendur.

..Respondents in both petitions.

Prayer in both petitions : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus to direct the respondents to follow the timing fixed by the petitioner's as per Section 105(a) of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959 and the ancient texts and literatures like 'Kala Prahasiha,' 'Kala Vidhanam' and 'Sarva Mukurtha Chinthamani' and declare that the consecration will take place on 07.07.2025 at 12.05 p.m to 12.45 p.m.

In both petitions:

For Petitioner : Mr.R.Singaravelan
Senior Counsel for
Mr.D.Selvanayagam

For Respondents : Mr.R.Baskaran
Addl. Advocate General assisted by
Mr.A.Baskaran
Addl. Govt. Pleader (for R1 and R2)

Mr.R.Shanmugasundaram
Senior Counsel for
Mr.G.Muthugeethaian
(for R3 and R4)



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COMMON ORDER

(Order of the Court was made by **R.VIJAYAKUMAR, J**)

These writ petitions have been filed by Vidhayahar of Arulmighu Subramaniya Swamy Thirukoil, Thiruchendur, and Sri Subramaniya Swamy Thirukoil Swathanthira Paribalana Sthalathargal Saba seeking a Writ of Mandamus as against the respondents to fix the time of Kumbhabhishekam of Arulmighu Subramaniya Swamy Thirukoil, Thiruchendur, between 12.05 p.m. to 12.45 p.m. on 07.07.2025.

2. According to the learned Senior Counsel appearing for the petitioner, the petitioner, being the Vidhayahar of the temple, is the competent authority to fix the date and time of the performance of poojas and festivals and other important functions of the concerned temple. The learned Senior Counsel further pointed out that the petitioner has given Kumbhabhisheka Muhurtham Pattolai to the authorities, fixing the time between 12.05 p.m. to 12.45 p.m. The grievance of the petitioner is that in violation of Agama principles, now the authorities are attempting to change the timing of Kumbhabhishekam to a different time, which may not be in the interest of the nation and devotees of the temple. The learned Senior Counsel has relied upon Kalaprakashikai in support of his contention for fixing the time as 12.05 p.m. to 12.45 p.m., namely, Abijit Mukurtham, on 07.07.2025.



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3. The learned Senior Counsel appearing for the respondents 3 and 4 submitted that the writ petitioner himself has given three timings for performance of Kumbhabhishekam, i.e., 06.00 a.m. to 06.50 a.m., 09.00 a.m. to 10.00 a.m., and 12.05 p.m. to 12.45 p.m. on the same date. He further submitted that the temple authorities have obtained expert opinions from the other experts also, namely, G.Sri.Srinivasan, Tirunelveli; Sivasri S.K.Raja Pattar @ Chandrasekara Pattar, Tiruparankundramm; Sivasri K.Pitchai Gurukkal, Chief Priest of Sri Karpaga Vinayagar Temple, Pillaiyarpatti; and the Principal of Sri Aalala Sundara Veda Sivagama Vidyalayam, Hindu Vedapadasalai, Tuticorin.

4. The learned Senior Counsel appearing for the respondents 3 and 4 further submitted that the petitioner himself had given Kumbhabhisheka Muhurtham Pattolai to fix the time between 06.00 a.m. and 06.50 a.m. He has also relied upon the letter addressed by the Sri Subramaniya Swamy Thirukoil Swathanthira Paribalana Sthalathargal Saba to the temple authorities and the Chief Minister's Special Cell to the effect that such a Kumbhabhisheka Muhurtham Pattolai was given by the petitioner himself fixing the timing between 06.00 a.m. and 06.50 a.m. on 07.07.2025. Therefore, the learned Senior Counsel contended that the present writ petitions could not be entertained.



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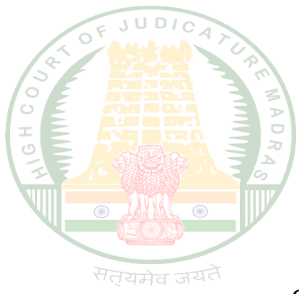
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5. According to the learned Additional Advocate General appearing for the respondents 1 and 2, majority of the experts have concurred that the timing of the Kumbhabhishekam of the temple could be fixed between 06.05 a.m. and 06.50 a.m. on 07.07.2025.

6. The learned Additional Advocate General appearing for the respondents 1 and 2 further contended that this disputed fact could not be decided in the writ petition under Article 226 of the Constitution of India and the petitioner should be directed to approach the competent civil court to let in oral evidence to decide the correct timing for performance of the Kumbhabhishekam of the Arulmigu Subramania Swamy Thirukoil.

7. Heard the learned counsel appearing on either side and perused the records.

8. We are of the considered opinion that the court would not be in a position to fix the time and date with regard to the performance of the Kumbhabhishekam, and it has to be decided by the concerned experts. Therefore, we are inclined to form a committee consisting of the following members:



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1) Sthanikar and Vidhayahar of Arulmighu Subramaniya Swamy Thirukoil (petitioner in W.P(MD)No. 14567 of 2025);

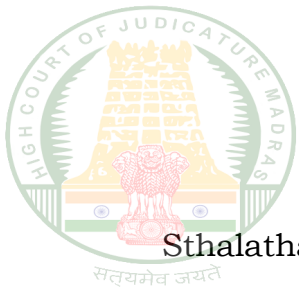
2) Sivasri K.Pitchai Gurukkal, Chief Priest of Sri Karpaga Vinayagar Temple, Pillaiyarpatti;

3) Sri.K.Subramaniaru, Thanthri of Sree Subramaniaswamy Temple, Thiruchendur;

4) Sivasri S.K.Raja Pattar @ Chandrasekar Pattar, Sthanikar of Arulmigu Subramaniaswamy Thirukoil, Thiruparankundram; and

5) Sri Melsanthi, Iyyappan Temple, Sabarimala, Kerala.

9. The learned counsel appearing on either side have agreed that the committee of experts could decide the timing for the performance of the Kumbhabhishekam on 07.07.2025. The meeting would be conducted at the earliest in the presence of the Joint Commissioner/Executive Officer of the Arulmighu Subramaniya Swamy Thirukoil, Tiruchendur. The respondents' authorities are directed to arrange for such a meeting at the earliest, and authorities are directed to follow the majority opinion of the abovesaid committee in accordance with the Agama of the temple. The experts are requested to consider the matter independently by considering various aspects, including Agama Rules of the concerned temple, and arrive at an independent decision. The experts are further requested to consider the representation of the Sri Subramaniya Swamy Thirukoil Swathanthira



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Sthalathargal Saba dated 25.04.2025 and 11.05.2025, which are addressed to the Government authorities.

10. With the above directions, these writ petitions stand disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

[S.S.Y., J.]

[R.V., J.]

skn

21.05.2025

NCC : Yes/No

Index : Yes / No

Internet : Yes

Note : upload on 22.05.2025.

To

1.The Secretary to Government,
State of Tamil Nadu,
Hindu Religious and Charitable Endowments Department,
Secretariat,
Chennai – 600 009.

2.The Commissioner,
Hindu Religious and Charitable Endowments,
139, Uthamar Gandhi Salai,
Nungambakkam,
Chennai – 600 034.

3.The Executive Officer / Joint Commissioner,
Thiruchendur Temple,
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