



W.P.(MD) Nos.16807 & 16860 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 20.06.2025

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THE HON'BLE MR.JUSTICE C. SARAVANAN

W.P.(MD) Nos.16807 & 16860 of 2025

and

W.M.P.(MD) Nos.12763 & 12765 of 2025

W.P.(MD) No.16807 of 2025

C.Muthupandi

... Petitioner

Vs.

- 1.The Principal Secretary to Government,
Department of Tourism, Cultural and Hindu
Religious and Cultural Affairs,
Secretariat, Chennai.
- 2.The Commissioner,
Hindu Religious and Charitable Endowments
Department,
Nungambakkam, Chennai.
- 3.The Joint Commissioner,
Hindu Religious and Charitable Endowments
Department,
Dindigul.
- 4.Arulmighu Pattalamman Muthiah Swamy Temple,
Represented by its Trustee,
Melmangalam Village,
Periyakulam Taluk, Theni District.

... Respondents



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PRAYER : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, directing the respondents to ensure that the petitioner is allowed to carry out the works in Maha Kumbabishekam (Consecration) Ceremony of Arulmighu Pattalamman Muthiah Swamy Temple at Melmangalam Village, Theni District, in accordance with the letter dated 06.06.2025 issued by the third respondent, without any interference from any party.

For Petitioner : Mr.M.Maharaja
for Mr.P.Venkata Subramanian

For R1 to R3 : Mr.S.S.Madhavan
Additional Government Pleader

For R4 : Mr.J.Shanmugaraj

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Neelamegam,
Chairman, Board of Trustees,
Arulmighu Pattalaamman Muthiasamy Thirukovil,
Keelatheru, Melmangalam Post,
Periyakulam Taluk, Theni District.

... Petitioner

Vs.

1.The State of Tamil Nadu
Through its Secretary to Government,
Hindu Religious and Charitable Endowments
Department,
Fort St.George, Chennai.



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2.The Commissioner,
Hindu Religious and Charitable Endowments
Department,
Chennai.

3.The Joint Commissioner,
Hindu Religious and Charitable Endowments
Department,
Dindigul.

4.The Assistant Commissioner,
Hindu Religious and Charitable Endowments
Department,
Dindigul.

5.The Inspector,
Hindu Religious and Charitable Endowments
Department,
Periyakulam Range, Dindigul District.

6.The Executive Officer/Appointee,
Arulmighu Pattalaamman Muthiasamy
Thirukovil,
Keelatheru, Melmangalam Post,
Periyakulam Taluk, Theni District.

7.Mr.Sangan,
The President,
Agamudayan Community,
Ammapettai Street, Melmangalam,
Periyakulam Taluk, Theni District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorari, calling for the records relating to the impugned order dated 09.06.2025 passed by the second respondent in Se.Mu.Ni.M.No.877858/2024 and quashing the same.



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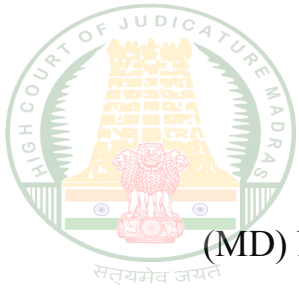
For Petitioner : Mr.V.R.Shanmuganathan
For R1 to R6 : Mr.S.S.Madhavan
Additional Government Pleader
For R7 : Mr.S.Madhavan

COMMON ORDER

By this common order, both these Writ Petitions are being disposed of.

2. Mr.C.Muthupandi, in his capacity as a donor, devotee, and regular worshipper of Arulmighu Pattalamman Muthiah Swamy Temple, Melmangalam Village, Theni District, has filed W.P.(MD) No.16807 of 2025, for the issuance of a Writ of Mandamus, directing the respondents to permit him to carry out the works related to the Maha Kumbabishekam (Consecration) Ceremony, in accordance with the letter dated 06.06.2025 issued by the third respondent, without any interference from any party. *The petitioner in W.P.(MD) No.16807 of 2025 is hereinafter referred to as 'the donor' for the sake of convenience.*

3. Mr.Neelamegam, in his capacity as the Chairman, Board of Trustees, Arulmighu Pattalamman Muthiasamy Thirukovil, has filed W.P.



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(MD) No.16860 of 2025, for the issuance of a Writ of Certiorari to call for the records relating to the impugned order dated 09.06.2025, passed by the second respondent in Se.Mu.Ni.M.No.877858/2024, and to quash the same. *The petitioner in W.P.(MD) No.16860 of 2025 is hereinafter referred to as 'petitioner'.*

4. There is a long history surrounding the Maha Kumbabishekam of the subject temple namely, Arulmighu Pattalamman Muthiah Swamy Temple, Melmangalam Village, Theni District. It is admitted by the learned counsels that the last Maha Kumbabishekam was held in the year 1981, during which there was large-scale violence, resulting in the death of at least two individuals.

5. The subject temple is a Scheme Decreed Temple pursuant to a Scheme Decree passed by the Deputy Commissioner on 13.05.1982 in O.A. No.8 of 1976. As per the Scheme Decree, persons belonging to five communities from Keelatheru, namely, the Ambalam Community, Servai Community, Pandaram Community, Konar Community, and Pillai Community, were to be appointed as trustees to manage the affairs of the temple.



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WEB COPY 6. The aforesaid Scheme Decree was later modified by the Joint Commissioner in his proceedings dated 07.03.2024 in O.A.No.9 of 2021, whereby, instead of a person belonging to the Konar Community from the aforesaid street, the trustee was to be appointed from among persons belonging to the Agamudayan Community from Ammapettai Street. The petitioner filed an appeal against the aforesaid modified order dated 07.03.2024 in O.A.No.9 of 2021 before the Commissioner in A.P.No.15 of 2024, which is pending as on date.

7. The aforesaid modified order dated 07.03.2024 in O.A.No.9 of 2021 is also the subject matter of W.P.(MD) No.10948 of 2024, at the behest of one R.Lakshmanan. The Court, vide its order dated 30.04.2024 in W.P.(MD) No.10948 of 2024, stayed the operation of the said modified order dated 07.03.2024 till the disposal of A.P.No.15 of 2024 on the file of the Commissioner.

8. Pursuant to the directions of this Court, a State Level Expert Committee was constituted. In the 87th meeting of the State Level Expert Committee held on 29.08.2024, the State Level Expert Committee has



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given a few prescriptions to be followed for the renovation of the temple,

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for Kumbabishekam, and also for other allied activities. As far as the subject temple is concerned, it is listed at Sl.No.165 of the Minutes of Meeting of the State Level Expert Committee held on 29.08.2024.

9. The petitioner, along with others, was appointed as a trustee of the subject temple by the Government of Tamil Nadu vide G.O. (D) No. 294, Tourism, Culture and Charitable Institutions (A.N.3-1) Department, dated 13.12.2023.

10. Meanwhile, it appears that the seventh respondent in W.P.(MD) No. 16860 of 2025 had given complaints against the petitioner as well as the other trustees appointed pursuant to the aforesaid G.O. dated 13.12.2023, alleging violation of various conditions prescribed by the State Level Expert Committee in its 87th meeting held on 29.08.2024.

11. The submissions made today also reveal that the petitioner, who is the Chairman of the Board of Trustees appointed *vide* G.O. (D) No.294, Tourism, Culture and Charitable Institutions (A.N.3-1) Department, dated 13.12.2023, were proceeded in Crime No.117 of 2025, for the alleged



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offences under Sections 298 and 324(4) of the Bharatiya Nyaya Sanhita, 2023, pursuant to a complaint lodged by the Inspector of the Hindu Religious and Charitable Endowments Department before the Inspector of Police, Jeyamangalam Police Station.

12. Anticipating arrest, the petitioner, along with the four other trustees, had approached the Principal Sessions Court at Theni for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, in CrI.M.P.No.1151 of 2025. The said Court however dismissed the said application for anticipatory bail on **11.06.2025**.

13. It is informed that today, the petitioner as well as other trustees have been granted anticipatory bail in CrI.M.P.No.1252 of 2025 by the said Court subject to the conditions stipulated therein.

14. Meanwhile, preparations are underway for the proposed Maha Kumbabishekam, which is scheduled to be held on 27.06.2025 for the first time since 1981, after a gap of 40 years, due to *inter se* disputes among the devotees, which had led to a stalemate, preventing the conduct of the Kumbabishekam every 12 years as per the practice of customs.



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15. The facts on record also indicates that the Joint Commissioner had also recommended for the Kumbabishekam in his proceedings dated 06.06.2025. However, based on the complaint of the seventh respondent in W.P.(MD) No.16860 of 2025, the Commissioner has exercised the power under Section 45(1) of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959 *vide* the impugned order 09.06.2025 bearing reference Se.Mu.Ni.M.No.877858/2024 to appoint an Executive Officer at the final stage of Kumbabishekam, i.e., one week before the actual date of Kumbabishekam.

16. Meanwhile, another Writ Petition, W.P.(MD) No.16807 of 2025, has been filed by one C.Muthupandi, who is said to be one of the donors and devotees, for a mandamus to direct the official respondents to ensure that he is allowed to carry out the works related to the Kumbabishekam, in accordance with the letter dated 06.06.2025 issued by the third respondent, without any interference from any party.

17. Considering the fact that the impugned order dated 09.06.2025 bearing reference Se.Mu.Ni.M.No.877858/2024 has been passed at the final stage before the Kumbabishekam proposed to be held on **27.06.2025**,



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the work for which commenced as early as August 2024 pursuant to the permissions and stipulation of the State Level Expert Committee in its 87th meeting held on 29.08.2024, the implementation of the impugned order dated 09.06.2025 bearing reference Se.Mu.Ni.M.No.877858/2024 appointing an Executive Officer under Section 45(1) of the Act to take away the autonomy of the petitioner and others appointed on 13.12.2023 by the Government, cannot be countenanced.

18. Rather, the Executive Officer appointed vide the impugned order dated 09.06.2025 bearing reference Se.Mu.Ni.M.No.877858/2024 can act in tandem with the petitioner and the other trustees, who were appointed vide G.O. (D) No. 294, Tourism, Culture and Charitable Institutions (A.N.3-1) Department, dated 13.12.2023 to ensure that the Kumbabishekam is conducted in a peaceful and orderly manner.

19. However, the continuation of the Executive Officer appointed vide the impugned order dated 09.06.2025 bearing reference Se.Mu.Ni.M.No.877858/2024 after the Kumbabishekam is over on 27.06.2025 shall be re-considered upon receipt of a representation from the petitioner and the other trustees. It shall be considered by the



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Commissioner independently as to whether the presence of the said Executive Officer is required in the peculiar facts and circumstances of the case.

20. Therefore, the petitioner and the other four trustees shall give a representation within a period of 30 days from the date of conclusion of the Kumbabishekam on 27.06.2025. In case such a representation is given, the Commissioner shall examine the records afresh and thereafter proceed to pass a fresh order after issuing an appropriate show cause notice.

21. The question as to whether the petitioner and the other trustees have in fact violated the provisions of the Management and Preservation of Properties of Religious Institutions Rules or the permission granted by the State Level Expert Committee in its 87th meeting held on 29.08.2024, can be examined independently at a later point of time.

22. Suffice it to state that the role of the Executive Officer, appointed pursuant to the impugned order dated 09.06.2025 bearing reference Se.Mu.Ni.M.No.877858/2024, is to act in tandem with the



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petitioner in W.P.(MD) No.16860 of 2025 and the other four trustees
appointed on 13.12.2023 and aid them.

23. Consequently, as prayed for, there shall be a direction to the official respondents to ensure that the petitioner in W.P.(MD) No.16807 of 2025 is allowed to carry out the works related to the Kumbabishekam, in accordance with the letter dated 06.06.2025 issued by the third respondent.

24. The rights of the seventh respondent shall be subject to the final outcome of the order to be passed by the Commissioner in A.P.No.15 of 2024.

25. In the result, there shall be a direction to the official respondents to ensure that the Kumbabishekam is completed under the guidance and supervision of the Board of Trustees appointed on 13.12.2023.

26. The Board of Trustees, including the Executive Officer, as well as the Hindu Religious and Charitable Endowments Department, are at liberty to seek the assistance of the local police taking note of the ground



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reality to ensure that no untoward incident occurs during the Kumbabishekam. It is made clear that all devotees from different communities shall be allowed to participate in the Kumbabishekam festival.

27. Accordingly, both these Writ Petitions are disposed of. No costs. Consequently, the connected Miscellaneous Petitions are closed.

20.06.2025

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Index : Yes / No

Internet : Yes / No

Neutral Citation : Yes/No

Speaking Order / Non-Speaking Order

To

- 1.The Principal Secretary,
Department of Tourism, Cultural and Hindu
Religious and Cultural Affairs,
Secretariat, Chennai.
- 2.The Secretary,
Hindu Religious and Charitable Endowments Department,
Fort St.George, Chennai.
- 3.The Commissioner,
Hindu Religious and Charitable Endowments Department,



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- 4.The Joint Commissioner,
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- 5.The Assistant Commissioner,
Hindu Religious and Charitable Endowments Department,
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- 6.The Inspector,
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Periyakulam Range, Dindigul District.



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C.SARAVANAN, J.

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20.06.2025