



W.P.(MD) No.17255 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

**W.P.(MD) No.17255 of 2025
and
W.M.P.(MD) Nos.13137 & 13138 of 2025**

1. P.Veerapandi,

2. K.Selvam.

... Petitioners

Vs

1. The Commissioner,
Hindu Religious and Charitable Endowments Department,
Chennai 34.

2. The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Ellis Nagar,
Madurai 625 010.

3. The Assistant Commissioner,
Hindu Religious and Charitable Endowments Department,
Virudhunagar.

4. The Executive Officer,
Arulmigu Nachiyar (Andal) Thirukovil,



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Srivilliputhur,
Virudhunagar District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus to forbear the respondents from intervening into the spiritual affairs of the petitioner's temple namely Arulmigu Nalla Thangal Thirukovil, Arjunapuram Village, Watrap Taluk, Virudhunagar District regarding daily poojas, festivals conducted by the customary practice of the villagers from the time immemorable as per the petitioner's representation dated 09.06.2025.

For petitioner : Mr. K.K.Kannan

For respondents : Mr.S.S.Madhavan
Additional Government Pleader for R1 to R3
Mr.M.Kannan
Standing Counsel for R4
Mr.S.Mahalingam for
Anaikaraipatti Village people

ORDER

This Writ Petition has been filed for a Mandamus to forbear the respondents from intervening into the spiritual affairs of the petitioner's temple namely, Arulmigu Nalla Thangal Thirukovil, Arjunapuram Village, Watrap Taluk, Virudhunagar District regarding daily poojas, festivals conducted by the



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customary practice of the villagers from the time immemorable as per the petitioner's representation dated 09.06.2025.

2. It is the specific case of the petitioner that the subject temple is a private temple, which is worshipped by the devotees only from the persons belonging to Maravar community from Arjunapuram Village, Watrap Taluk, Virudhunagar District.

3. It is submitted that the Kumbhabhisakam for the temple is proposed to be held on 12.07.2025 and that the official respondents 1 to 3 are interfering with the Kumbhabhisakam.

4. It is further submitted that even in an earlier occasion in the year 2018, a fit person was appointed, however, the order was recalled. While that being so, it is submitted that on 27.01.2025, the third respondent appointed the fourth respondent as a fit person, without any provocation.

5. It is further submitted that the petitioner had also approached this



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Court in W.P.(MD) No.9002 of 2025. By an order dated 02.04.2025, the petitioner was directed to approach the first respondent under Section 21 of the TN HR & CE Act, 1959.

6. It is further submitted that an appeal has also been filed on 09.06.2025 before the first respondent and the same is likely to be disposed of in due course of time.

7. That apart, it is submitted that the respondents have also filed an application under Section 64 of the TN HR & CE Act, 1959 for framing of Scheme for the temple on 19.08.2024 before the second respondent/Joint Commissioner. While so, the appointment of the Joint Commissioner on 27.01.2025 and interference by the respondents were unwarranted.

8. A copy of the order, dated 27.01.2025 bearing reference in Se.Mu.Na.Ka.No.430/2025/A4-1 of the third respondent/Assistant Commissioner was filed by the learned Additional Government Pleader for the respondents 1 to 3, wherein, the events, that took place on 25.01.2025 and the registration of FIR



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in Crime No.34 of 2025 dated 26.01.2025, in connection with the theft of the idol and for trespassing into the temple, has been referred warranting an appointment of the fourth respondent as a fit person of the temple.

9. It is submitted that the petitioners have now prepared an idol of the 'Nalla Thangal' for being installed during the proposed Kumbhabhisakam on 12.07.2025 without permission of the TN HR & CE Department and the State Level Expert Committee constituted pursuant to the direction of this Court.

10. That apart, it is submitted that the said idol does not meet the requirements of the 'Agamas'. To that effect, the report of the Regional Sthapathi (Sculpture Expert) of the TN HR & CE Department has been produced before this Court.

11. It is further submitted that having applied for the Scheme under Section 64 of the TN HR & CE Act, 1959 on 19.08.2024, it is not open for the petitioner to take over the control of the temple, particularly, in the background of the circumstances narrated in the order, dated 27.01.2025 of the third respondent



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appointing the fourth respondent as a fit person.

12. That apart, it is submitted that there are three different villagers and there are rival parties, who are claiming control over the temple and that the temple is located in a communally sensitive area and proposed Kumbhabhisakam at the behest of the petitioner can also lead to law and order situation.

13. Mr.S.Mahalingam, learned counsel on behalf of the Anaikaraipatti Village people appears through Video Conference, submits that this temple has been under the control of the TN HR & CE Department, since 1985. However, he is unable to substantiate the same.

14. Having considered the submissions made by the learned counsel for the petitioner, learned Additional Government Pleader for the official respondents 1 to 3 and learned Standing Counsel for the fourth respondent/fit person and Mr.S.Mahalingam, learned counsel for the Anaikaraipatti Village people and having perused the order appointing the fourth respondent as a fit person on 27.01.2025 and the order of this Court in W.P.(MD) No.9002 of 2025, I



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am of the view that the petitioners are not entitled to the relief, as the temple comes within the purview of the TN HR & CE Department.

15. If the temple was not coming within the purview of the TN HR & CE Department, the petitioner would not have filed the application under Section 64 of the TN HR & CE Act, 1959 for framing a Scheme on 19.08.2024 before the second respondent/Joint Commissioner.

16. It appears that the petitioner has taken upon this Kumbhabhisakam for the temple on 12.07.2025 without obtaining permission from the TN HR & CE Department, despite the fact that the temple is now under the active control of the fourth respondent pursuant to the order dated 27.01.2025, who took charge on 31.01.2025.

17. The petitioner has challenged the order of the third respondent appointing the fourth respondent as a fit person *vide* order, dated 27.01.2025, pursuant to the order, dated 02.04.2025 in W.P.(MD) No.9002 of 2025. Therefore, the prayer of the petitioner to restrain the Official respondents 1 to 3 as also the



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fourth respondent cannot be countenanced.

18. Under these circumstances, the proposed Kumbhabhisakam for the temple shall be kept in abeyance. All further proceedings including Kumbhabhisakam shall be held under the control of the TN HR & CE Department and the fourth respondent/fit person.

19. If the petitioner wants to persuade the Department as to the idol secured by them meets requirements of the Agama, they may give suitable representations to the TN HR & CE Department. The Department may consider the same and fix a date for the Kumbhabhisakam.

20. It is open for the petitioner to give representation immediately to the TN HR & CE Department to convince them to held the Kumbhabhisakam.

21. As and when the Kumbhabhisakam is held, all the devotees from different villages shall be given equal treatment in the Kumbhabhisakam.



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22. With the above directions, this Writ Petition is dismissed. No costs.

W.M.P.(MD) No.13137 of 2025 is allowed. Consequently, connected miscellaneous petition is closed.

Index : Yes / No

26.06.2025

Internet : Yes / No

apd

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C.SARAVANAN, J.

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