



W.P.(MD) Nos.18434 & 18536 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.07.2025

CORAM

THE HON'BLE MR.JUSTICE C. SARAVANAN

W.P.(MD) Nos.18434 & 18536 of 2025

and

W.M.P.(MD) No.14206 of 2025

W.P.(MD) No.18434 of 2025

S.Subbiramaniyan Samynathan

... Petitioner

Vs.

- 1.The Commissioner,
Hindu Religious & Charitable Endowments
(Admn.) Department,
Chennai 600 034.
- 2.The District Collector,
Sivagangai District.
- 3.The Joint Commissioner,
Hindu Religious & Charitable Endowments
(Admn.) Department,
Sivagangai District.
- 4.The Revenue Divisional Officer,
Office of Revenue Divisional Officer,
Devakottai, Sivagangai District.
- 5.The Tahsildar/Executive Magistrate,
Devakottai Taluk,
Sivagangai District.



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6.The Manager/Executive Officer,
Sivagangai Samasthana Devasthanam,
Sivagangai.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, forbearing the respondents herein, their men and agents or any one on their behalf from in any manner conferring first honour to any of the members of Thennilai Nattars on 08.07.2025 in the evening during Kettai Natchathiram as per custom followed in Kandadevi Sri Swarnamoortheswarar, Kumkuma Kaliamman Temple Festival as against the majority decision of Thennilai Nattars taken on 18.06.2025 on the basis of the representation dated 02.07.2025 made to the respondents herein for peaceful conduct of the temple festival and drawing Temple Car with participation of people without any discrimination.

For Petitioner : Mr.K.Maheshraja

For R1 to R5 : Mr.S.S.Madhavan
Additional Government Pleader

For R6 : Mr.S.Manohar
Standing Counsel

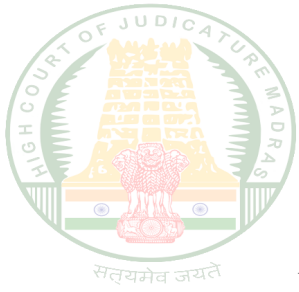
W.P.(MD) No.18526 of 2025

C.Senthilnathan

... Petitioner

Vs.

1.The Commissioner,
Hindu Religious and Charitable



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WEB COPY Endowments Department,
Chennai - 34.

- 2.The District Collector,
Sivagangai District,
District Collector Office,
Sivagangai – 630562.
- 3.The Superintendent of Police,
Collectorate Complex,
Manamadurai – Thanjavur Road,
Sivagangai – 630562.
- 4.The Joint Commissioner,
Hindu Religious and Charitable
Endowments Department,
KS Kumaran Muthusamy Nagar,
CB Colony, Sivagangai District.
- 5.The Sivagangai Samasthana Devasthanam,
Rep. by its Manager,
Aranmanai Valagam,
Sivagangai.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order of the fourth respondent, vide Na.Ka.No. 4248/2025/E1, dated 04.07.2025 and quashing the same and directing the fourth respondent to pass an order, enabling the petitioner to get the first honour as offered to him in the year 2023 by the fifth respondent as the representative of Thennilai Nattars, during the Kettai Natchathiram Car Festival of Kandadevi Sri Swarnamoortheswarar Kumkuma Kaliamman Temple of Kandadevi, Devakottai Taluk, Sivagangai District and Vaikasi



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Car Festival at Arulmighu Akilandeshwari Samedha Vishwanathaswamy
Temple, Eluvankottai Devakottai Taluk, Sivagangai District.

For Petitioner : Mr.P.Thiyagarajan

For R1, R2 & R4 : Mr.S.S.Madhavan
Additional Government Pleader

For R3 : Mr.K.Sanjai Gandhi
Government Advocate (Criminal Side)

For R5 : Mr.S.Manohar
Standing Counsel

COMMON ORDER

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

2. W.P.(MD) No.18434 of 2025 has been filed for the issuance of a
Writ of Mandamus, forbearing the respondents herein, their men, agents,
or anyone on their behalf from, in any manner, conferring first honour on
any of the members of Thennilai Nattars on 08.07.2025 in the evening
during Kettai Natchathiram, as per the custom followed in the Kandadevi
Sri Swarnamoortheswarar Kumkuma Kaliamman Temple Festival, as
against the majority decision of the Thennilai Nattars taken on
18.06.2025, and based on the representation dated 02.07.2025 submitted

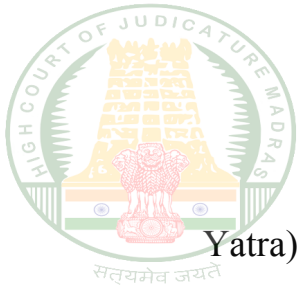


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to the respondents for the peaceful conduct of the temple festival and drawing of the Temple Car with the participation of people without any discrimination.

2.1. W.P.(MD) No.18526 of 2025 has been filed for the issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order of the fourth respondent dated 04.07.2025 bearing reference Na.Ka.No.4248/2025/E1, quashing the same, and directing the fourth respondent to pass an order enabling the petitioner to receive the first honour, as was offered to him in the year 2023 by the fifth respondent as the representative of the Thennilai Nattars, during the Kettai Natchathiram Car Festival of Kandadevi Sri Swarnamoortheswarar Kumkuma Kaliyamman Temple, Devakottai Taluk, Sivagangai District, and the Vaikasi Car Festival at Arulmighu Akilandeshwari Samedha Vishwanathaswamy Temple, Eluvankottai, Devakottai Taluk, Sivagangai District.

3. There is a long history regarding the conferring of first honour to the four Nattars, namely, Thennilai Nattars, Iravuseri Nattars, Unjanai Nattars, and Semponmari Nattars, on the 9th day Car Festival (Ratha



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Yatra) of Kandadevi Sri Swarna Moortheswarar Kunguma Kaliyamman

WEB COPY Temple in Sivagangai District during the performance of Mandagapadi.

4. Earlier, a petition was filed by the representatives of the aforesaid four Nattars under Section 63(e) of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959, in O.A.No.11 of 1998, seeking a declaration that the Nattars community alone have the right, by long usage and custom, to pull the temple car rope of the subject temple, to perform their traditional duties, and to receive the honours and perquisites attached thereto. An order dated 08.04.1999 in the said O.A. came to be passed by the then Joint Commissioner. By the aforesaid order dated 08.04.1999, the Joint Commissioner allowed the said petition by confirming the above customary rights.

5. The aforesaid order, however, stood slightly modified by the Commissioner in an appeal in A.P.No.15 of 1999-D2, filed by Puthiya Tamilagam, a political party, under Section 69(1) of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959, *vide* order dated 26.06.1999. Ultimately, the Commissioner, as the appellate authority under Section 69(1) of the Act, passed the following order:



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23. Hence, on the facts of this case and substantial questions of law involved in this case, the impugned order passed by the Joint Commissioner is modified to the extent that the respondents herein shall be entitled only to the performance of mandagapadis on the 9th day car festival and for receiving the Pattu Parivattam and whatever honours they have been receiving hitherto. All these will be done during the rituals prior to the main car festival. Subsequently, that is after the preliminary rituals and honours, when the deity is taken out in procession in the car along the streets all Hindus irrespective of caste, creed or community shall be entitled to partake in the dragging of the car without any discrimination.

6. In the previous year also, Writ Petitions came to be filed by the petitioner in W.P.(MD) No.18434 of 2025 and by one S.Karthikeyan before this Court in W.P.(MD) Nos.13236 and 13099 of 2024, in connection with the same temple festival. After hearing the parties and taking note of the decision of the Division Bench of this Court in ***Peri Sornalingam Ambalam v. The Commissioner, H.R. & C.E. and others***, reported in 2014 (5) CTC 113, and Circular in Na.Ka.No.31549/06/Ke.1, dated 01.06.2006, this Court disposed of the said Writ Petitions on 20.06.2024 with the following observations:

5. As far as these two Writ Petitions are concerned, since there are inter se dispute among two branches of Nattars viz., Thennilai Nattars and Iravuseri Nattars., no special honour can be conferred to any one.



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6. *Considering the same, the Devasthanam/sixth respondent in W.P. (MD)No.13236 of 2024 will receive the first honour and distribute the Vibhuthi to the devotees, where the Temple Car proceeds in the procession.*

7. *It is, however, open for the respective petitioners to give suitable representation by the afternoon i.e., 20.06.2024 to the TNHR&CE Department, if any peace is brokened between them.*

Accordingly, these Writ Petitions are disposed of. No costs. Consequently, connected miscellaneous petition is closed.

7. It appears that Public Interest Litigations in W.P.(MD) Nos. 17068 and 18027 of 2025 were filed by one K.Kesavamani and one P.Kadigai Ravi @ Ravichandran before the Division Bench of this Court in respect of the same temple festival. The Division Bench of this Court, by separate orders dated 02.07.2025, but with identical observations, disposed of these Public Interest Litigations. The relevant portion reads as under:

“6. High Court in exercise of powers of judicial review cannot adjudicate the disputed facts relating to religious practice. It deserves examination of witnesses, scheme and other aspects of the matter with reference to the provisions of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959 and the Rules framed thereunder. If at all any grievance exists to the parties, they have to approach the competent authority under



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Section 63 of the Act, 1959 or under any other relevant provisions through which they can redress their grievances. Contrarily, this writ petition, at this stage, if entertained, may would cause prejudice to either of the parties or community people or result in miscarriage of justice. The examination requires not only adjudication, but examination of witness and other documents. Thus, the petitioner or other aggrieved person is at liberty to approach the Competent Authority under the provisions of the Act, 1959 in the manner contemplated under Law.

7. With the above observations, this Writ Petition stands disposed of. There shall be no order as to costs.”

8. The Division Bench of this Court, while disposing of the aforesaid Writ Petitions, granted liberty to the petitioners therein to approach the competent authority under the provisions of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959, in the manner contemplated under law, for the relief sought for in the said Writ Petitions.

9. Considering the fact that the position has not changed since the order was passed on 20.06.2024 in W.P.(MD) Nos.13236 and 13099 of 2024, and taking into account the decision of the Division Bench of this Court in the above Public Interest Litigations in W.P.(MD) Nos.17068 and 18027 of 2025, dated 02.07.2025, the relief sought by the respective



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petitioners in these Writ Petitions cannot be granted and is liable to be rejected.

10. That apart, the petitioners have approached this Court at the eleventh hour, the festival is scheduled to be held tomorrow, i.e., on 08.07.2025. On this ground also, there is no scope for granting any relief to the petitioners at this stage. However, the respective petitioners are given liberty to work out their remedy, as was ordered by the Division Bench of this Court by its orders dated 02.07.2025, for the ensuing temple festivals. The temple would take the first honour.

11. In the result, these Writ Petitions are dismissed. No costs. Consequently, the connected Miscellaneous Petition is closed.

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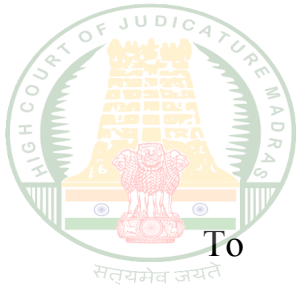
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Index : Yes / No

Internet : Yes / No

Neutral Citation : Yes/No

Speaking Order / Non-Speaking Order



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To

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Chennai - 34.
- 2.The District Collector,
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- 3.The Superintendent of Police,
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C.SARAVANAN, J.

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