



W.P.(MD) No.47 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.01.2025

CORAM:

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.(MD) No.47 of 2025

N.Mahalakshmi

.. Petitioner

Vs.

The Deputy Commissioner/Executive Officer,
Arulmigu Kallalagar Temple,
Hindu Religious and Charitable Endowment Department,
Alagarkovil, Madurai District.

.. Respondent

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, to direct the respondent to permit the petitioner to perform poojas, charity and Mandagapadi service during the Chithirai Festival 2025 by bringing lord Kallalagar to the Mandabam situated at Door No.3/236, Mathur Village, Appan Thiruppathi Mandagapadi No.60, Madurai District in every year by considering the petitioner's representation dated 19.12.2024.

For Petitioner : Mr.S.A.Ajmalkhan
for Mr.S.Madhankumar

For Respondent : Mr.S.Manohar



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ORDER

The prayer sought for in the writ petition is for a mandamus to direct the respondent, who is the Executive Officer of Arulmigu Kallalagar Temple, Alagarkovil, Madurai, to permit the petitioner to perform poojas, charity and Mandagapadi service during the Chithirai Festival, 2025 by bringing lord Kallalagar to the Mandabam situated at Door No.3/236, Mathur Village, Appan Thiruppathi Mandagapadi No.60, Madurai District in every year.

2. The claim of the petitioner is seeking to establish her right in respect to the religious institution by custom or otherwise. The said right can only be determined by the Joint Commissioner or the Deputy Commissioner as envisaged under Section 63(e) of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959. The Executive Officer, who is the respondent, cannot determine the right, as the Executive Officer is appointed to a temple to exercise such right even though the person in the rank of Joint Commissioner or Deputy



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Commissioner had been appointed as Executive Officer. When an Officer in the rank of Joint Commissioner or Deputy Commissioner has been appointed as Executive Officer, he can only perform the duties as the Executive Officer of the Temple as envisaged under the said Act and not otherwise.

3. In such view of the matter, the direction as sought for by the petitioner cannot be granted. However, the petitioner would be at liberty to make appropriate application before the Joint Commissioner concerned to recognise the right.

4. With the aforesaid liberty, this Writ Petition stands disposed of.
There shall be no order as to costs.

03.01.2025

NCC : Yes/No
Index : Yes/No
Internet : Yes

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K.KUMARESH BABU, J.

abr

To

The Deputy Commissioner/Executive Officer,
Arulmigu Kallalagar Temple,
Hindu Religious and Charitable Endowment Department,
Alagarkovil, Madurai District.

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