



W.P.(MD) No.8216 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 25.03.2026

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THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.(MD) No.8216 of 2026

and

W.M.P.(MD) No.6691 of 2026

M.Subbarayalu

... Petitioner

Vs.

- 1.The Commissioner,
Hindu Religious and Charitable
Endowments Department,
No.119, Uthamar Gandhi Salai,
Chennai - 600 034.
- 2.The Joint Commissioner,
Hindu Religious and Charitable
Endowments Department,
No.52/A1, Tiruvananthapuram Road,
Palayamkottai, Tirunelveli,
Tirunelveli District.
- 3.The Assistant Commissioner,
Hindu Religious and Charitable
Endowments Department,
B23, 26th Cross Street,
Maharaja Nagar, Palayamkottai,
Tirunelveli, Tirunelveli District.
- 4.The Fit Person,
Arulmigu Navaneethakrishnasamy Temple,
Kovilpatti, Kalakkadu,



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Nanguneri Taluk, Tirunelveli District,
Office at : The Executive Officer,
Arulmigu Subramaniasamy Temple,
Valliyur, Nanguneri Taluk,
Tirunelveli District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus directing the first and second respondents to take appropriate action to prevent unapproved Balalayam at Arulmigu Navaneetha Krishnasamy Temple, Kovilpathu, Kalakadu, Nanguneri Taluk, Tirunelveli District and further permit the petitioner to undertake renovation as a donor to the Temple.

For Petitioner : Mr.R.Murali

For Respondents : Mr.M.Sarangan
Additional Government Pleader

ORDER

This Writ Petition is filed for the issuance of a writ of mandamus directing the first and second respondents to take appropriate action to prevent the conduct of an unapproved Balalayam at Arulmigu Navaneetha Krishnasamy Temple, Kovilpathu, Kalakadu, Nanguneri Taluk, Tirunelveli District.



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2. The grievance of the petitioner is that from the approval granted by the State Level Expert Committee, it can be seen that only certain works were permitted. Therefore, without the express approval of the State Level Expert Committee or without obtaining any permission whatsoever, the Balalayam is now sought to be established. The same shall not be undertaken by the respondents without due permission. Alternatively, the learned counsel for the petitioner would also submit that the petitioner has filed O.A.No.10 of 2018 for framing a scheme in respect of the temple. Without framing the scheme, the respondents cannot proceed further with the Kudamuzhuku.

3. In reply thereto, the learned Additional Government Pleader appearing on behalf of the respondents would submit that due permission for the establishment of the Balalayam was granted by the Joint Commissioner, Tirunelveli-II, by virtue of the powers vested in him by the Circular of the Commissioner dated 09.07.2022. The permission was granted by the Joint Commissioner by an order dated 23.03.2026. In this case, the requirements for the conduct of the Kudamuzhukku have been duly followed and all the directions of the Hon'ble Division Bench have been complied with. The opinion of the Archaeology Department, the



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District Level Expert Committee report and the State Level Expert Committee report have all been obtained and thereafter, with due permission, the Balalayam is being established.

4. With reference to the framing of the scheme, the learned Additional Government Pleader would submit that the draft scheme has already been published and is at the stage of inviting objections. The same will be continued and the pendency of the same will not be a bar for the conduct of the Kudamuzhukku.

5. I have considered the rival submissions made on either side and perused the material records of the case.

6. From the order dated 23.03.2026 produced before this Court, I am satisfied that the Balalayam is being conducted after following due procedure. The learned counsel would rely upon the State Level Expert Committee Report. In the State Level Expert Committee Report, in the relevant column, only the name and description of the proposed works are mentioned and normally the Kudamuzhukku or the date thereof will not be specified. Only the renovation works or civil works that are proposed



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to be carried out will be mentioned. The same does not mean that there will be no Kudamuzhukku. Therefore, the premise on which the Writ Petition is filed does not hold good.

7. The second ground for stalling the establishment of the Balalayam is that the application for framing a scheme is pending. As rightly contended, the mere pendency of the scheme is not a bar. In any event, let the scheme be framed in accordance with law. It is also made clear that the same cannot be made on a caste basis. Let final orders be passed in the scheme application.

8. With the above observations, the prayer in this Writ Petition cannot be countenanced. At this juncture, the learned counsel for the petitioner would submit that the petitioner also intends to make a donation in respect of the work. From the records, it can already be seen that the works are being undertaken on an ubayathar (donation) basis. Therefore, for any other work that is permitted or desirable, the donation from the petitioner can also be accepted.



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9. The petitioner shall make a representation in this regard to the fourth respondent within one week from the date of receipt of a web copy of this order. Orders shall be passed by the fourth respondent thereon within two weeks thereafter.

10. With the above observations and directions, this Writ Petition stands disposed of. No costs. Consequently, the connected Miscellaneous Petition is closed.

25.03.2026

JEN

Neutral Citation : No

To

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Endowments Department,
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- 2.The Joint Commissioner,
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4.The Fit Person,
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D.BHARATHA CHAKRAVARTHY, J.

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