



W.P.(MD)No.14319 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.06.2026

CORAM:

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.(MD)No.14319 of 2026

and

W.M.P.(MD)Nos.10746 and 10805 of 2026

- 1.T.Jeyaram
- 2.M.Satheeswaran
- 3.M.Thanabalan
- 4.J.Reguperumal
- 5.J.Rajesh Kannan
- 6.P.Vadivelan
- 7.M.Rajpriyan
- 8.R.Sujith
- 9.V.Venkadeswaran
- 10.G.Parameshwaran

... Petitioners

-VS-

1.The District Collector,
District Collector Office, Madurai.

2.The Revenue Divisional Officer,
Revenue Division Office, Melur, Madurai District.

3.The Joint Commissioner,
Hindu Religious and Charitable Endowment,
First Floor, JC Office, B1 Salai, Ellis Nagar,
Madurai-625 016.



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4.The Assistant Commissioner,
Hindu Religious and Charitable Endowment,
AC Office, B1 Salai, Ellis Nagar, Madurai-625016.

5.The Inspector - (Melur Circle),
Hindu Religious and Charitable Endowment,
AC Office, B1 Salai, Ellis Nagar, Madurai-625016.

6.The Inspector of Police,
B1- Police Station, Melur, Madurai-625106.

7.Karnan @ Ponnachi Ambalam (1st Karai-Ponnachi Ambalam)

8.NallaPattu (2nd Karai – Nallapattu Ambalam)

9.Veeranan Ambalam (3rd Karai – Athiyan Ambalam)

10.Ayyanan Ambalam @ Raja (4th Karai-Kandapuliyan Ambalam)

11.Shivakumar (5th Karai – Maravanpatti Ambalam-Pirkatti)

12.Senthil @ Kiraama Kanakkupillai
(8th Karai-Kiramathu Kanakkupillai)

13.R.Rajasekar

14.R.Ravichandran

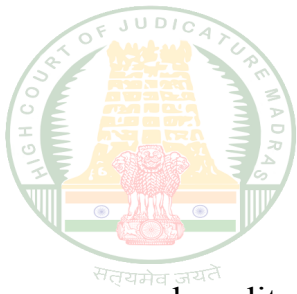
15.K.Ramakrishnan

16.A.Thanraj

... Respondents

[R16 is impleaded vide order dated 17.06.2026,
in W.M.P.(MD)No.11924 of 2026]

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents 3, 4 and 5 to forthwith take physical possession of the temple premises of the Arulmigu Sri Manthai Karuppannaswamy Temple in S.No.471/34 and S.No.471/35 of Arittapatti Village, Melur Taluk, Madurai District and forthwith appoint a 'Fit Person' to immediately take over the Temple's affairs, funds and properties and further direct the fourth respondent to initiate and complete the process of appoint of non-



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hereditary trustees to this Temple within a stipulated time and till the completion of that process forebear the private respondents from conducting any Kumbhabhishekam or other special celebrations in the Temple.

For Petitioners	:	Mr.H.Lakshmi Shankar
For R1 to R5	:	Mr.R.Parthiban Standing Counsel
For R6	:	Mr.I.Murugesan Government Advocate (Criminal side)
For R7 to R15	:	Mr.K.P.S.Palanivelrajan Senior Counsel for Mr.M.Karthikeyavenkitachalapathy
For R16	:	Mr.M.Rajesh

ORDER

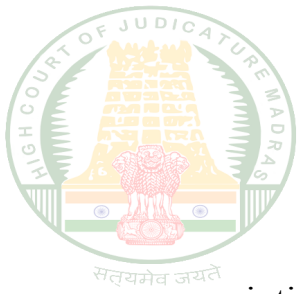
The Writ Petition has been filed seeking issuance of a Writ of Mandamus directing the respondents 3 to 5 to forthwith take physical possession of the premises of Arulmigu Sri Manthai Karuppannaswamy Temple, situated in Survey Nos.471/34 and 471/35 at Arittapatti Village, Melur Taluk, Madurai District; appoint a Fit Person to take immediate charge of the affairs, funds and properties of the Temple; and consequently, direct the fourth respondent to initiate and complete the process of appointing non-hereditary trustees to the Temple, within a stipulated time.



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2. The learned counsel for the petitioners submitted that the Temple is a public temple. According to him, the respondents 7 to 16, without obtaining any permission from the competent authorities, have been acting in a high-handed manner and carrying out renovation works in the Temple without submitting any proper application or obtaining prior approval. It is further submitted that they have fixed the date of Kumbabhishekam as 27.05.2026. In such circumstances, upon a representation being made, the fifth respondent/Inspector, H.R. & C.E., Melur Circle, inspected the Temple premises, found that unauthorized works were being undertaken and lodged a police complaint. It is stated that warning notices were also issued. Despite the same, the private respondents continued with the renovation works and proceeded with arrangements for conducting the Kumbabhishekam. It is further submitted that even the board erected by the Department, indicating that no work should be undertaken and no Kumbabhishekam conducted without prior approval of the authorities, was removed or destroyed. According to the petitioners, the private respondents, claiming themselves to be Karai Ambalakarars, are indulging in illegal activities. Therefore, unless the Department takes over the administration of the Temple by

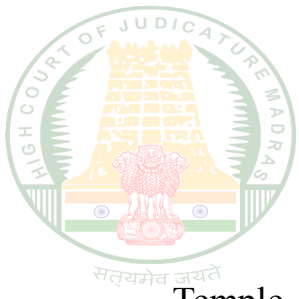


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appointing a Fit Person, serious prejudice would be caused to the interests of the Temple and the petitioners.

3. The learned Standing Counsel appearing for the respondents 1 to 5 submitted that, by proceedings dated 21.05.2026, a Fit Person has already been appointed and has assumed charge of the Temple. It is submitted that the Fit Person shall hereafter administer the affairs of the Temple strictly in accordance with law.

3. The learned Senior Counsel appearing for the respondents 7 to 15 submitted that the Temple is a non-listed temple and, therefore, according to him, no prior permission was required for carrying out renovation works. It was further submitted that the private respondents had also approached the authorities seeking permission; however, since no action was taken, they undertook the works in their capacity as persons in *de facto* administration of the Temple by virtue of their customary rights as Karai Ambalakarars. According to the learned Senior Counsel, the writ petition has been filed only on account of personal disputes among members of the same caste and not in the larger interests of the

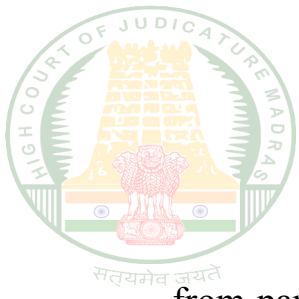


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Temple. It is further submitted that the petitioners themselves belong to the same clan and has approached this Court solely due to personal differences. The insistence upon obtaining prior permission, according to the learned Senior Counsel, would infringe the rights guaranteed under Article 25 of the Constitution of India. It is also contended that certain provisions of the H.R. & C.E. Act, 1959 are under challenge before this Court and, therefore, the authorities ought not to interfere in the matter. In any event, owing to the interim order granted by this Court, the respondents did not proceed with the proposed Kumbabhishekam.

4. The learned Senior Counsel further submitted that, while reserving their right to challenge the appointment of the Fit Person, appropriate directions may be issued for consideration of their application seeking framing of a scheme and for permitting the completion of the renovation works, so that, the Kumbabhishekam may be conducted after obtaining the requisite permissions.

5. The learned counsel appearing for the sixteenth respondent submitted that the persons presently in *de facto* administration of the Temple are practising caste-based discrimination and that the sixteenth respondent is being prevented



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from participating in Temple activities solely on the ground that he belongs to a Scheduled Caste community.

6. I have considered the rival submissions advanced on either side and perused the materials available on record.

7. By virtue of the judgment of the Hon'ble Division Bench of this Court in ***Suo Motu W.P.No.574 of 2015 and W.P.(MD)No.24178 of 2018, dated 07.06.2021, in The Director, Archaeological Survey of India and others [2021 (5) MLJ 413]***, no person is entitled to undertake renovation, construction or civil works in a temple without obtaining permission from the competent authorities. Such permission is required to be granted only after due inspection, verification of the nature and heritage value of the structure and obtaining approval from the State Level or District Level Committee, as the case may be.

8. The contention of the learned Senior Counsel appearing for the respondents 7 to 15 that no permission whatsoever is required in respect of a non-listed temple, is liable to be rejected outright. Even in the case of a non-listed



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temple, whenever renovation works are proposed or Kumbabhishekam is intended to be conducted, the Department is entitled to examine the nature of the proposed works and process the request in accordance with law. It is not uncommon for well-intentioned persons, acting in what they perceive to be the best interests of a temple, to undertake alterations that may adversely affect the aesthetic, historical or religious character of the structure. It is precisely to prevent such situations that the Hon'ble Division Bench has mandated adherence to a prescribed procedure.

9. Therefore, the respondents 7 to 16 were not justified in proceeding with the renovation works without obtaining prior approval from the competent authorities. Be that as it may, a Fit Person has now been appointed to administer the Temple. It is for the Fit Person to consider the question of conducting the Kumbabhishekam and, if necessary, submit an appropriate proposal on behalf of the Temple seeking the requisite permissions. The Fit Person may also consider the constitution of a suitable committee, if required, comprising representatives of all sections and stakeholders, without reference to caste or creed, for facilitating the conduct of the Kumbabhishekam in a fair and inclusive manner.



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10. It is made clear that no person shall be prevented from participating in Temple activities or from making contributions or donations on the basis of caste. The petitioner, the respondents 7 to 15 and the sixteenth respondent, as well as any other interested persons, are at liberty to approach the Fit Person expressing their willingness to contribute towards the renovation, maintenance or conduct of the Kumbabhishekam. It shall be for the Fit Person to consider such requests objectively, keeping in mind only the best interests of the Temple and in accordance with law. Upon obtaining the necessary approvals and after completion of the statutory procedures, including inspection wherever required, the Kumbabhishekam may be conducted in accordance with law.

11. The application filed by the respondents 7 to 15 in O.A.No.8 of 2026 shall also be taken up for enquiry by the third respondent/Joint Commissioner. Notice shall be issued to the petitioner, the respondents therein and all other persons interested in the affairs of the Temple. Upon conducting a due enquiry, the third respondent shall dispose of the said application as expeditiously as possible.



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12. It is made clear that any observations contained in this order with regard to the conduct of renovation works, the proposed Kumbabhishekam or the incidents relating thereto shall not influence the third respondent/Joint Commissioner while considering the application for framing a scheme, which shall be decided independently on its own merits and in accordance with law.

13. With the above observations and leaving it open to the parties to challenge the appointment of the Fit Person, if they are so advised, the Writ Petition stands disposed of. No costs. Consequently, the connected Miscellaneous Petitions are closed.

17.06.2026
(3/3)

NCC : No
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To:-

1.The District Collector,
District Collector Office, Madurai.

2.The Revenue Divisional Officer,
Revenue Division Office, Melur, Madurai District.

3.The Joint Commissioner,
Hindu Religious and Charitable Endowment,
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