

IN THE COURT OF THE DISTRICT MUNSIF, PATTUKKOTTAI.

Present: - Tmt. S. Kavipriya, B.A., L.L.B.,

District Munsif,
Pattukkottai.

Saturday, the 28th day of March 2026

(Thiruvalluvar Aandu - 2057, Visuvavasu varudam, Panguni Thingal 14th day)

O. S. No. 39 Of 2016

CNR NO. TNTJ100000532016

P. Mariyappan

... Plaintiff

Vs

1. The Commissioner.
H.R. & C.E. Department,
Chennai.
2. The Joint Commissioner,
H.R. & C. E. Department,
Thanjavur District, Thanjavur.
3. The Executive Officer,
A/M.Podhu Aavudayar @ Mathiyapureeshwarar Temple,
Parakkalakkottai Village.
4. S. Sadagopa Ramanujam (Died)
5. S.R. Ramanujam (Died)
6. R. Balasubramanian
7. R. Muralidaran
8. Radha

... Defendants

....

This suit came up for final hearing before this Court on 17.03.2026, in the presence of Selvi. N. Usha, learned counsel for the plaintiff, Thiru K. Karthikeyan, learned counsel appearing for the 1st and 2nd defendants, and Thiru. R. Kumaravenkatesan, learned counsel appearing for the 3rd defendant. The 4th and 5th defendants was reported as died. Thiru. R. Govindaraj, learned counsel appearing for the 6th defendant and Thiru. P. Lenin, learned counsel appearing for the 7th defendant and Tmt. A. Dency Rashmi learned counsel appearing for the 8th defendant. Upon hearing the arguments on both sides, perusing the case records, and having stood over for consideration till this day, this Court delivers the following:

JUDGMENT

1. The suit has been filed by the plaintiff to pass a decree and judgement in favour of the plaintiff directing the defendants except the Defendant 7 to repay the money paid out of the temple fund to put up temporary shed for private Annadhanam organized by the 6th defendant for the periods starting from 2013 to 2015 to the account of the suit temple A/M. Podhu Aavudayar @ Mathiyapureeshwarar Temple, Parakalakkottai Village and permanent injunction restraining the defendants 1 to 5, 7 and the 8th defendants from permitting the 6th defendant or any private individuals to collect money by using suit temple name, photographs of the suit temple, suit deity, temple invitation and temple prasadam and also permanent injunction restraining the 6th defendant and his men in any way collecting money by using the name of the suit temple A/M.Podhu Aavudayar @ Mathiyapureeshwarar Temple, Parakalakkottai Village. And also restraining the defendants 1 to 5, 7 and 8th from allotting Temple money to put up temporary shed for private annathanam and pass such other or further reliefs that may be deemed fit in the circumstances of the case and thus render justice.

2. **Brief averments of the plaint :-**

1. There exists a Siva Temple in Parakkalakkottai Village, Pattukkottai Taluk, Thanjavur District, known as Arulmigu Podhu Aavudayar @ Mathiyapureshwarar Temple. There are also two sub-deities worshipped therein. The said temple is an ancient temple having its own *Sthalapuranam* and is well-known in Pattukkottai Taluk. The temple is ordinarily opened only on the day of Pongal during daytime and remains closed on other days of the year, except that it is opened during night hours on every Somavaram Monday.
2. Every year, a grand festival is conducted on the last Somavaram in the Tamil month of Karthigai, during which thousands of devotees visit the temple for worship and participation. The said temple is hereinafter referred to as the suit temple.
3. The suit temple is administered by two hereditary trustees along with the Executive Officer. The defendants 4 and 5 are the present hereditary trustees of the suit temple.
4. The plaintiff is a permanent resident of Parakkalakkottai Village, a devotee of the suit temple, and a person deeply interested in the welfare of the temple and its properties. The 4th defendant has been acting against the interest of the suit temple and its properties.
5. On an earlier occasion, the 4th defendant, in his capacity as hereditary trustee, attempted to alienate the properties of the suit temple. Hence, the plaintiff filed a suit in O.S. No. 348 of 1992 before this Hon'ble Court seeking declaration and injunction against the 4th defendant and others. The said suit was decreed on 27.04.1998. Aggrieved by the same, the 4th defendant filed A.S. No. 31 of 1998 before the Hon'ble Sub Court, Pattukkottai, which was allowed on 01.02.1999 on the ground that the suit properties were not properly described. Against the same, the plaintiff preferred S.A. No. 653 of 1999 before the Hon'ble High Court, which is still pending. The plaintiff has been prosecuting

the said litigation at his own expense for the protection of the temple and its properties.

6. The suit temple is managed by defendants 3 to 5. No other person has any right of administration or management except the right of worship. The defendants 3 to 5 have been making arrangements for the annual last Somavaram festival, including providing Annadhanam to devotees in the temple mandapam. It is the usual practice of the 3rd defendant to invite tenders through Tamil newspapers for festival-related works in consultation with defendants 4 and 5.
7. The 6th defendant is a private individual of the village and has no right over the management or administration of the suit temple or its properties, except the right of worship. However, in collusion with defendants 3 and 4, he has been projecting himself as a person having managerial rights over the temple, which is being permitted by defendants 3 and 4.
8. The 6th defendant, in collusion with defendants 3 and 4, has been collecting several lakhs of rupees from villagers and devotees in the name of conducting Annadhanam in the suit temple premises. The 6th defendant has printed receipts and account booklets and circulated them among the public. As per the accounts published by him, surplus amounts remain in his custody. It is the duty of the 6th defendant to remit such surplus amounts to the temple. The 6th defendant has also been using the name and image of the temple and deity for private collection of funds. Defendants 1 to 4 have permitted such acts. The 5th defendant alone has objected to these illegal activities.
9. The defendants 3 and 4 have also misutilized temple funds to erect temporary sheds for Annadhanam organized by the 6th defendant. Temple funds cannot be utilized for private events. The details are as follows:

S.No	Year	Purpose	Amount
1	2015	To form temporary shed for Annadhanam	Rs.2,60,945-00
2	2014	To form temporary shed for Annadhanam	Rs.2,05,508-00
3	2013	To form temporary shed for Annadhanam	Rs.1,76,164-00
4	2012	To form temporary shed for Annadhanam	Rs.1,69,007-00
		Total	Rs.8,11,624-00

10. Apart from the above, unauthorized and illegal diversion of the suit temple money for unrecognized purposes, the 6th defendant has kept the balance surplus donation amount in his custody as detailed below.

S.No	Year	Description	Amount
1	2015	Balance surplus donation money of the suit temple	Rs.3,82,487-00
2	2014	Balance surplus donation money of the suit temple	Rs.4,43,646-00
3	2013	Balance surplus donation money of the suit temple	Rs.4,13,258.76
4	2012	Balance surplus donation money of the suit temple	Rs.3,79,600-00

11. When such surplus funds are available with the 6th defendant, there was no necessity for defendants 3 and 4 to divert temple funds for erection of temporary sheds. The said act has resulted in substantial loss to the temple. Permitting third parties to collect donations in the name of the temple is illegal and contrary to law.

12. The plaintiff submitted several representations dated 06.02.2007, 13.08.2007, 15.12.2007, 21.11.2009, 15.10.2010, 19.11.2012, 07.12.2013, and 08.09.2015 to defendants 1 and 2 requesting action. Though one representation was acknowledged on 12.12.2012, no effective action was taken, and the illegal activities continued.

13. The 5th defendant filed O.S. No. 208 of 2013 before this Hon'ble Court seeking mandatory injunction directing recovery of Rs.1,69,007/- spent for the year 2012. The said suit is pending.
14. Despite pendency of the above suit, illegal collections continued. Hence, the plaintiff filed W.P. No. 23359 of 2015 seeking mandamus to consider his representation dated 08.09.2015.
15. The Hon'ble High Court, by order dated 14.12.2015, permitted the plaintiff to implead himself in O.S. No. 208 of 2013 and seek appropriate relief.
16. The earlier suit relates only to the year 2012. The present suit is filed to seek comprehensive relief covering all periods and to restrain unauthorized collection of donations in the name of the temple. The relief sought herein is distinct and permanent in nature. Hence, the present suit is maintainable and not barred by law.

3. Brief averments of the Written Statement of 2nd defendant adopt of the 1st defendant :-

1. The averments contained in the plaint are false and denied. Except those specifically admitted herein, all other averments are denied, and the plaintiff is put to strict proof of the same.
2. The averments contained in paragraph III-2 of the plaint are not true. The allegation that the temple is opened only on Pongal day during daytime and remains closed on other days is incorrect. It is the customary practice that the temple is opened every Monday at about 12:00 midnight for darshan. On the Karthigai Somavaram also, the temple is opened at about 12:00 midnight and remains open until all devotees complete darshan, usually up to about 4:00 a.m.

3. The averments contained in paragraph III-3 of the plaint are not true. The statement that the temple administration is carried on by the 3rd defendant along with two trustees is incorrect. The temple administration is being carried on by the 3rd defendant in consultation with defendants 4 and 5.
4. The averments contained in paragraphs III-4 and 5 of the plaint are not true. The allegation that the 4th defendant is acting against the interest of the temple is denied. On the contrary, the 4th defendant has been functioning properly in coordination with the 3rd defendant for the welfare of the temple and its administration. It is true that the suits in O.S. No. 348/1992 and A.S. No. 31/1998 were conducted, and that S.A. No. 653/1999 is pending before the Hon'ble Madurai Bench of the High Court.
5. The averments contained in paragraph III-6 of the plaint are not true. It is denied that there exists any separate mandapam in the temple premises for conducting Annadhanam during the last Somavaram.
6. The averments contained in paragraph III-7 of the plaint are not true. The 3rd defendant alone is managing the temple administration. The 6th defendant has no manner of right in the administration of the temple. No permission has been granted by defendants 3 and 4 to the 6th defendant. The allegations made by the plaintiff are false and made only for the purpose of this case.
7. The averments contained in paragraph III-8 of the plaint are not true. On the last Somavaram, thousands of devotees gather at the temple, necessitating arrangements for drinking water and food. Considering the substantial expenses involved, village representatives, with the knowledge and permission of the 3rd defendant, have constituted an Annadhanam Committee, collected voluntary donations from willing contributors, and have been conducting Annadhanam. The 6th defendant has only been discharging responsibilities on behalf of the said committee.

8. The averments contained in paragraphs III–9 and 10 of the plaint are not true. Initially, Annadhanam was conducted in open space by the village committee, causing hardship to devotees due to weather conditions. Upon request by the committee members, the 3rd defendant permitted erection of temporary sheds for the welfare of devotees. Such sheds are erected annually through a transparent tender process. Neither this defendant nor the 3rd defendant has any authority to audit or enquire into the accounts maintained by the Annadhanam Committee or the 6th defendant.
9. The averments contained in paragraph III–11 of the plaint are not true. The allegation that the erection of temporary sheds has caused financial loss to the temple is legally unsustainable. No funds from the temple administration are being provided for conducting Annadhanam. No permission has been granted to any third party to utilize temple funds.
10. The averments contained in paragraph III–12 of the plaint are not true. It is submitted that upon receipt of representations from the plaintiff, this defendant has issued necessary directions to the 3rd defendant to take appropriate action from time to time.
11. The averment contained in paragraph III–13 of the plaint, regarding the pendency of O.S. No. 208 of 2013, is true.
12. With regard to paragraph III–14 of the plaint, it is submitted that no notice has been received by this defendant from the Hon'ble Madurai Bench of the High Court, and hence the same is not admitted.
13. The averments contained in paragraph III–15 of the plaint are denied, and the plaintiff is put to strict proof of the same.
14. The suit has been filed based on false, frivolous, and fabricated allegations and is liable to be dismissed.

4. Brief averments of the Written Statement of 3rd defendant :-

1. The suit as filed by the plaintiff for the relief of mandatory and prohibitory injunction is not maintainable either in law or on facts and is liable to be rejected in limine.
2. This defendant denies all the averments contained in the plaint except those specifically admitted herein, and the plaintiff is put to strict proof of the same.
3. The plaintiff is a total stranger to the suit temple and has no locus standi to institute the present suit. He is not connected with the administration or management of the temple, nor has he participated in temple activities or contributed in any manner. He is a mere interloper and has filed the suit with ulterior motives at the instigation of the 5th defendant.
4. In respect of the same subject matter, the 5th defendant has already filed O.S. No. 208 of 2013 against defendants 1 to 4 seeking mandatory injunction for recovery of Rs.1,69,007/- allegedly spent for erection of a temporary shed for Annadhanam for the year 2012, which is pending. The present suit is only a continuation of the said proceedings for subsequent years (2013–2015). The 5th defendant could have sought relief for subsequent years but has not done so. The present suit has been filed through the plaintiff as a name-lender, which is impermissible in law. Hence, the suit is liable to be rejected.
5. The plaintiff has already filed an application to implead himself in O.S. No. 208 of 2013, which is opposed by this defendant. The pleadings therein may be read as part of this Written Statement.
6. The plaintiff, being ignorant of temple affairs, has made incorrect statements. The suit temple is dedicated to Lord Siva (without idol), and there are no sub-deities as alleged. There exist two other temples, namely Naganathaswamy Temple and Paladi Katha Ayyanar Temple, and all three together are referred to as a group of temples.

7. The allegations in paragraph III (2) of the plaint are incorrect. The temple is open during daytime on Mondays and not exclusively at night as alleged.
8. The temple administration is carried out by this defendant (Executive Officer) in consultation with defendants 4 and 5, who are hereditary trustees.
9. The plaintiff is not a person interested in the welfare of the temple. The 4th defendant has been actively involved in temple administration and festivals, unlike the 5th defendant.
10. The reference to O.S. No. 348/1992 and A.S. No. 31/1998 is misleading. The earlier suit filed by the plaintiff was dismissed in appeal, holding that the properties involved were the personal properties of the 4th defendant. This defendant is not aware of any second appeal. The plaintiff and 5th defendant have been indulging in frivolous litigation affecting temple administration.
11. Due to the misconduct of the 5th defendant, proceedings under Section 51 of the H.R. & C.E. Act have been initiated for his removal, which are pending enquiry. The present suit is a continuation of such motivated actions.
12. Except this defendant (Executive Officer), no other person has administrative control. There is no mandapam in the temple for Annadhanam as alleged.
13. The 6th defendant has never claimed any administrative right nor acted in collusion with defendants 3 and 4.
14. The allegation of collection of lakhs by the 6th defendant is false. Annadhanam is organized voluntarily by village people, and the 6th defendant acts only as a coordinator without personal gain.
15. It is the duty of the temple administration to ensure welfare of devotees. During Karthigai Somavaram, lakhs of devotees gather, and there are no nearby facilities. Providing food and shelter becomes essential.
16. The 6th defendant and villagers voluntarily undertake Annadhanam as a charitable service (Dharmam). Funds are collected through voluntary donations and are transparently accounted for.

17. Earlier, Annadhanam was conducted in open space causing hardship. Hence, upon request, temporary sheds are erected annually through proper sanction and tender process. This is a legitimate and necessary expenditure.
18. Temple income is mainly through hundial offerings. Utilization of a portion for devotees' welfare is neither illegal nor improper.
19. The plaintiff and 5th defendant fail to appreciate the religious significance of Annadhanam and have raised baseless objections.
20. The accounts of the Annadhanam Committee are independent. Temple administration neither controls nor claims surplus funds.
21. Funds for sheds are sanctioned with approval from higher authorities and are not misappropriated. Such expenditure benefits devotees and enhances temple reputation.
22. Surplus funds, if any, are used for future Annadhanam. The allegation of loss to the temple is unfounded.
23. Representations made by the plaintiff were considered and found baseless.
24. The Written Statement filed in O.S. No. 208 of 2013 may be read as part of this statement.
25. No notice has been received in W.P. No. 23359 of 2015. No direction has been issued by the Hon'ble High Court except granting liberty.
26. The present suit is not a fresh or independent cause of action but a continuation of earlier litigation. Proper court fee has not been paid, and the suit is undervalued and not maintainable.
27. The plaintiff has no prima facie case and is not entitled to any relief. The suit is frivolous and liable to be dismissed.

5. Additional Written Statement of 3rd defendant :-

1. This defendant has already filed a detailed Written Statement opposing the untenable claims made in the plaint. The present Additional Written Statement is filed by way of further clarification and elaboration of the valid contentions of this defendant.

2. In response to the petition filed by this defendant under Order VII Rule 11(b) CPC, it was contended on behalf of the plaintiff that the relief sought is not for personal benefit but for the benefit of the temple, and the same was accepted by this Hon'ble Court. The very same principle equally applies to this defendant, and the actions of this defendant must also be assessed on the same footing.
3. This defendant, being the Executive Officer entrusted with temple administration under the provisions of the H.R. & C.E. Act, has not utilized any temple funds for personal gain or for any purpose unconnected with temple administration. No portion of temple funds has been misused, misappropriated, or applied for any illegal or immoral activity. No expenditure has been incurred for entertainment or personal benefit of any individual. All personal expenses of the Executive Officer are met from his own salary.
4. The utilization of temple funds once a year for erection of temporary sheds cannot be construed as misuse. The sheds are primarily intended as shelter for devotees who assemble in large numbers during the festival, particularly during rainy conditions. Providing shelter, drinking water, sanitation, and basic facilities is the bounden duty of the temple administration. Failure to provide such facilities may lead to hardship and even law and order issues.
5. Provision of food to devotees falls within the broader category of welfare measures. As there is no approved *thittam* for Annadhanam under temple administration, the temple cannot directly conduct Annadhanam. However, permitting voluntary groups such as the 6th defendant and villagers to organize Annadhanam is lawful and justified, especially when conducted in the shed meant for devotees during the annual festival.

6. The plaintiff, who is not a genuine devotee, is unaware of the lawful and necessary expenditure incurred for the welfare of devotees. The expenditure has been duly sanctioned by resolutions of the Board of Trustees and approved by higher authorities under the H.R. & C.E. Department. Such sanctioned expenditure cannot be questioned by a stranger. The resolution itself has not been challenged. Hence, no liability arises for refund of any amount, and the suit claim is misconceived.
7. The *Vibuthi* used during the festival is brought by the 6th defendant, placed before the deity, and distributed as *prasadam* to devotees who voluntarily contribute towards Annadhanam. The temple administration has no role in such voluntary acts.
8. The leaves of the sacred “Vellalamaram,” regarded as holy, naturally fall and are collected by devotees and temple staff as *prasadam*. Such customary practices are part of temple tradition and cannot be termed illegal. The plaintiff is ignorant of such customs.
9. Invitations for the annual Karthigai festival are sponsored by private entities (e.g., City Union Bank), and no temple funds are used for printing such invitations.
10. The use of the temple name and deity image for Annadhanam conducted for the benefit of devotees is neither illegal nor improper. The allegations to the contrary are intended to malign the temple administration and persons rendering voluntary service.
11. The plaintiff, at the instigation of the 5th defendant, is attempting to disrupt temple festivals and create discontent among devotees. The 5th defendant has acted against temple interests and has even claimed the temple as private property. The present suit is motivated and lacks bona fides.

12. In any event, the claim relating to periods beyond three years is barred by limitation.

13. The suit is frivolous, vexatious, and an abuse of process of Court. This defendant reiterates all averments made in the earlier Written Statement.

Therefore, it is prayed that this Hon'ble Court may be pleased to dismiss the suit with costs and thus render justice.

6. Brief averments of the Written Statement of 4th defendant :-

1. The averments stated in the plaint are wholly false and contrary to facts. Except those expressly admitted herein, all other averments are denied, and the plaintiff is put to strict proof of the same.
2. The Written Statement already filed by the 3rd defendant may be read as part and parcel of this Written Statement.
3. The plaintiff is only an agent of the 5th defendant. The plaintiff and the 5th defendant have been jointly instituting vexatious litigations against the suit temple. The present suit is not maintainable either in law or on facts. The plaintiff has no manner of right, interest, or connection with the suit temple.
4. In respect of the temporary Annadhanam shed, the 5th defendant had earlier filed a suit in O.S. No. 208 of 2013 before the District Munsif Court seeking reliefs against the defendants. In the said suit, both the 3rd defendant and this defendant have filed Written Statements, and the matter is still pending adjudication.
5. The suit temple is governed under the control of the Tamil Nadu Hindu Religious and Charitable Endowments Department, and its administration is carried out by the Executive Officer in consultation with the hereditary trustees, namely this defendant and the 5th defendant.

6. The 5th defendant has failed to properly discharge his duties as hereditary trustee and has not been attending temple-related meetings. Instead, he has been indulging in unnecessary litigations, directly and through third parties.
7. The properties referred to in O.S. No. 345 of 1992 are the absolute and personal properties of this defendant.
8. Proceedings have been initiated under Section 51 of the Tamil Nadu Hindu Religious and Charitable Endowments Act seeking removal of the 5th defendant from trusteeship, and the same is pending enquiry. In view of the same, the 5th defendant has instigated the present plaintiff to file this suit.
9. The allegation that the 6th defendant is collecting money in collusion with the Executive Officer and this defendant is false. The 6th defendant has been voluntarily conducting Annadhanam for the benefit of the general public.
10. Every year, during the Tamil month of Karthigai, festivals are conducted on all Mondays, and on the last Monday, lakhs of devotees assemble. In order to serve the devotees, Annadhanam is arranged. As the temple does not have sufficient funds for the same, the 6th defendant, on his own initiative, collects voluntary donations from devotees and conducts Annadhanam, maintaining proper accounts.
11. Earlier, Annadhanam was conducted in open space. Considering the heavy influx of devotees and the rainy season during Karthigai, temporary sheds are erected to facilitate devotees. These arrangements are made purely for public benefit. A small portion of offerings is utilized for erection of such sheds, and no loss is caused to the temple. The objections raised by the 5th defendant and his associates are baseless.

12. Annadhanam is not conducted using temple funds. The temporary shed is put up using only a nominal amount for the convenience of devotees. Neither the plaintiff nor the 5th defendant has locus standi to question such arrangements, which are made in accordance with directions of higher authorities.
13. It is not known to this defendant that any direction has been issued by the Hon'ble High Court permitting the plaintiff to institute the present suit.
14. The reliefs of permanent injunction and mandatory injunction sought in respect of a charitable and religious activity are wholly unsustainable in law.
15. The suit is undervalued, and the court fee paid is incorrect.
16. The suit is frivolous, vexatious, and liable to be dismissed.

Therefore, it is prayed that this Hon'ble Court may be pleased to dismiss the suit filed by the plaintiff with costs and thus render justice.

7. Brief averments of the Written Statement of 5th defendant :-

1. This defendant denies all the allegations contained in the plaint as false, frivolous, and vexatious, except those specifically admitted herein. The plaintiff is put to strict proof of all other averments.
2. It is submitted that Arulmigu Mathiyapureeshwarar Temple, Naganathaswamy Temple, and Paladikathavarayan Temple are group temples. These temples have been historically managed by the family of Sherankulam Chinna Ramanjua Iyengar, and vast extents of properties were endowed for the said temples by the said family. The administration has been carried out as per the Award dated 20.09.1895. Subsequently, hereditary trusteeship has been recognized under the proceedings of the H.R. & C.E. Board in No.3869 dated 07.04.1946. No third party has any independent right over the temples.

3. The defendants 4 and 5 are the present hereditary trustees of the suit temples. Earlier, the 4th defendant had prevented this defendant's father from participating in temple administration. Hence, this defendant's father filed O.S. No. 85 of 1981 for joint possession, which was decreed on 14.07.1982. The appeal in A.S. No. 156 of 1984 was dismissed by the Hon'ble High Court on 10.01.1985. Despite the same, the 4th defendant, in collusion with defendants 1 to 3, has failed to involve other hereditary trustees in administration.
4. After the demise of this defendant's father, this defendant sought appointment as hereditary trustee. On direction of the Hon'ble High Court, this defendant was appointed as hereditary trustee. However, despite repeated requests, this defendant has not been permitted to function as Managing Trustee.
5. The 4th defendant, along with his family members, has alienated several temple properties for personal gain. Hence, this defendant has filed O.S. No. 160 of 2010 before the III Additional District Court, Pattukkottai, seeking recovery of temple properties, which is pending.
6. The defendants 1 to 3 have supported the illegal acts of the 4th defendant and have failed to take steps to recover temple properties. They have also failed to consult this defendant in matters relating to temple administration, which is mandatory.
7. The 3rd defendant initiated demolition and reconstruction of the Mahamandapam without notice or consent of this defendant. Aggrieved, this defendant filed O.S. No. 198 of 2010 for injunction, which is pending. Despite pendency, the Mahamandapam was demolished in collusion with the 4th defendant.

8. The defendants 1 to 4 have been excluding this defendant from temple administration and conducting festivals without consultation. To prevent misappropriation, this defendant filed O.S. No. 133 of 2011, in which temporary injunction was granted restraining opening of hundials and auction of temple cattle. The defendants failed to comply, and contempt proceedings in I.A. No. 701 of 2013 are pending.
9. The averments in paragraphs 1 to 3 of the plaint are correct. The averments in paragraphs 4 and 5 are also correct.
10. The averments in paragraphs 6 to 9 of the plaint are correct. This defendant has consistently objected to misapplication of temple funds and misuse of temple premises by defendants 1 to 4 and 6. As they failed to act, this defendant filed O.S. No. 208 of 2013 seeking appropriate relief, which is pending.
11. The allegations made by defendants 1 to 3 against this defendant are false, baseless, and motivated. The said defendants are put to strict proof of the same.

Therefore, it is prayed that this Hon'ble Court may be pleased to decree the suit as prayed for and thus render justice.

8. Brief averments of the Written Statement of 6th defendant :-

1. The averments in the plaint are wholly false and fabricated. Except those facts expressly admitted herein, all other averments are denied, and the plaintiff is put to strict proof of the same.
2. The allegation that the plaintiff is a devotee interested in the development of the suit temple and that the 4th defendant is acting against the temple's interest is denied. It is also false that the plaintiff has taken steps to protect the temple or its properties.

3. The allegation that this defendant is acting as though he is administering the suit temple, with the consent of defendants 3 and 4, is wholly false. This defendant has no role in the administration of the temple.
4. It is submitted that this defendant has been collecting voluntary contributions from devotees and conducting Annadhanam every year in a proper and commendable manner. The accounts relating to such collections and expenditures are prepared annually, submitted to the temple authorities, printed in booklet form, and distributed to the public, clearly showing receipts, expenses, and balance.
5. The balance amount remaining after expenses is not misappropriated. The same is carried forward and utilised for the next year's Annadhanam expenses. This is evident from the very documents relied upon by the plaintiff.
6. The allegation that defendants 3 and 4 are acting in collusion with this defendant is false. All expenses relating to Annadhanam are borne by this defendant and the volunteers. Only the erection of the temporary pandal (shed) is undertaken at the expense of the temple, with due permission, for the convenience of devotees.
7. No amount is collected in the name of the temple. Contributions are collected only for the purpose of Annadhanam and are utilised solely for that purpose. The practice of conducting Annadhanam through voluntary contributions has been in existence for several years, and the plaintiff has no locus standi to object to the same.
8. The Annadhanam scheme was initiated by volunteers out of compassion for devotees who travel long distances and remain without food. The scheme has been continuously conducted as a charitable activity, especially on the last Monday of the Tamil month of Karthigai, benefiting thousands of devotees.

9. After finalisation of accounts, the balance amount is used as advance for the next year's expenses. Since contributions are received only on or around the festival date, this defendant initially conducts Annadhanam using carried-forward funds or temporary arrangements.
10. The entire expenditure for Annadhanam is borne by this defendant and volunteers. There are no adequate hotel or food facilities near the temple, and hence this service is essential for devotees.
11. The temporary shed is erected with due permission from the authorities, as it is not feasible to conduct Annadhanam in open space, especially during the rainy season and considering the large gathering of devotees.
12. The plaintiff suffers no legal injury or loss due to the conduct of Annadhanam. The suit is filed with mala fide intention to obstruct a genuine charitable activity intended for the benefit of devotees.
13. The suit has not been filed in a representative capacity. The plaintiff has no locus standi and is not entitled to any relief.
14. Annadhanam is conducted peacefully near the temple premises for public benefit, and no individual has claimed exclusive rights over it.
15. The suit is not maintainable either in law or on facts. The court fee paid is incorrect, and the suit is liable to be dismissed.
16. Therefore, it is prayed that this Hon'ble Court may be pleased to dismiss the suit with costs and thus render justice.

Issues :

- i. Whether the defendants 1 to 4 and 6 are liable to repay the money paid to put up for temporary shed for the period 2013 to 2015 ?**
- ii. Whether the plaintiff is entitled for the relief of mandatory injunction as prayed for ?**
- iii. Whether the plaintiff is entitled for the relief of permanent injunction against the defendants 1 to 5 prayed for ?**
- iv. Whether the plaintiff is entitled for the relief of permanent injunction against the 6th defendant as prayed for ?**
- v. To what other reliefs, the plaintiffs is entitled for ?**

Additional Issues :

- i. Whether plaintiff is entitled for restraining the defendants 1 to 5 from allotting temple money to put up temporary shed for private annathanam ?**
5. In support of the plaintiffs' case, one witness was examined and seventeen documents were marked. On the side of the defendants, two witnesses were examined and fifteen documents were marked. On the Court side, one witness was examined and three documents were marked.
6. Upon perusal of the case records, the issues framed earlier are recast as follows:
- i. Whether the plaintiff is entitled for repayment of money paid out of the temple fund to put up temporary shed for private annadhanam organized by the 6th defendant for the periods starting from 2013 to 2015 to the account of the suit temple Arul migu Podhu Aavudayar @ Mathiyapureshwarar temple, parakalakottai village from defendants except 7th defendant?**
 - ii. Whether plaintiff is entitled for permanent injunction restraining the defendants 1 to 5,7 and 8th defendants from permitting the 6th defendant or any private individuals to collect money by using temple name, photograph of the suit temple, suit deity, temple invitation and temple prasadam?**

iii. Whether plaintiff is entitled for restraining the 6th defendant and his men in any way collecting money by using the name of suit temple Arul Migh Podhu Aavudayar @Mathiyapureshwarar temple, Parakalakkottai village?

iv. Whether plaintiff is entitled for restraining the defendants 1 to 5,7 and 8th defendant from allotting temple money to put up temporary shed for private annadhanam?

v. To what other relief?

7. Issue No.1:

i. Whether the plaintiff is entitled for repayment of money paid out of the temple fund to put up temporary shed for private annadhanam organized by the 6th defendant for the periods starting from 2013 to 2015 to the account of the suit temple Arul migu Podhu Aavudayar @ Mathiyapureshwarar temple, parakalakottai village from defendants except 7th defendant?

According to the plaintiff, the suit temple, namely Arulmigu Podhu Aavudayar @ Mathiyapureshwarar Temple situated in Parakkalakkottai Village, is an ancient temple having its own Sthalapuranam and is well-known in the locality. The temple is ordinarily opened only on the day of Pongal during daytime and remains closed on other days, except that it is opened during night hours on every Somavaram (Monday), apart from special occasions such as the annual festival conducted on the last Somavaram in the Tamil month of Karthigai.

The administration of the suit temple vests with two hereditary trustees along with the Executive Officer, and defendants 4 and 5 are the present hereditary trustees. The defendants 3 to 5 are in management of the temple affairs, including conducting festivals and making arrangements for annadhanam, and no other person has any right of administration or management of the temple except the right of worship.

It is the case of the plaintiff that during the period from 2013 to 2015, the 6th defendant, in collusion with defendants 3 and 4, conducted private annadhanam and put up a temporary shed by utilizing temple funds, and hence the amount is liable to be repaid.

The defendants, except the 5th defendant, have denied the said allegations. The 1st and 2nd defendants have specifically contended that upon receipt of representations from the plaintiff, they have, in discharge of their official duties, issued appropriate directions from time to time to the 3rd defendant to take necessary action. They have further contended that no misuse of temple funds has taken place.

The 3rd defendant, being the Executive Officer, has taken a categorical stand that the temple administration is carried out in accordance with law and procedure, and that the temporary sheds for annadhanam were erected only pursuant to resolutions passed by the temple authorities and through a proper tender process. It is also contended that the said arrangements were made only for the welfare of the large number of devotees attending the festival.

The 4th defendant has also denied the allegations of mismanagement and has contended that he has been acting in the interest of the temple administration and that there was no diversion or misuse of temple funds.

The 6th defendant, in his written statement, has specifically stated that he has no role in the administration of the temple and that he has been voluntarily conducting annadhanam for the benefit of the devotees by collecting contributions from willing persons. It is further stated that proper accounts are maintained every year, printed in booklet form, and distributed to the public, and that the balance amount is carried forward for the next year's expenses. It is also contended that only the temporary shed is put up with permission and for the convenience of devotees, and that no temple funds are misappropriated.

However, the 5th defendant, in his written statement, has supported the case of the plaintiff. It is specifically stated by the 5th defendant that the 6th defendant is only a private individual having no role in the administration of the temple and that he, in collusion with defendants 3 and 4, has been collecting money from the public in the name of annadhanam. The 5th defendant has further contended that such acts are unauthorized and that the temple funds ought not to have been utilized for any private purpose.

Thus, the written statement of the 5th defendant lends support to the allegations made by the plaintiff regarding the conduct of the 6th defendant and the alleged irregularities. However, even though the 5th defendant has raised objections and supported the plaintiff's case, the same by itself does not constitute proof of actual utilization of temple funds for the purpose alleged. In order to substantiate the claim, the plaintiff has relied upon Ex.A1 to Ex.A17.

On perusal of Ex.A1, it reveals that it was a letter issued by the plaintiff to the CM Cell, HR&CE Minister, Department of Housing Board, including the 1st defendant and also to the 3rd, 4th and 5th defendants on 19.11.2012. The acknowledgment card of the 1st defendant was marked as Ex.A5 and acknowledgment of the 2nd defendant was marked as Ex.A4. The 1st and 2nd defendants pleaded in the written statement that upon receipt of representations from the plaintiff, in discharge of their official duties, they have from time to time issued appropriate directions to the 3rd defendant to take necessary action.

However, no documentary evidence has been produced before this Court to substantiate the said contention. Neither any written communication, proceedings, nor official records evidencing such directions have been marked on the side of the defendants. In the absence of any documentary proof, the said plea remains a mere assertion without evidentiary support. It is well settled that when a party relies upon official acts or directions, the same must be supported by proper records. Failure to produce such documents creates an adverse inference under the law of evidence.

Therefore, this Court is constrained to hold that the 1st and 2nd defendants have failed to establish that any such directions were in fact issued to the 3rd defendant. The 1st and 2nd defendants also not lead any evidence and failed to come to the witness box. On perusal of Ex.A3, it reveals that again the plaintiff issued a letter to the 2nd defendant on 07.12.2013 alleging misuse of funds for the annadhanam shed. There was no action taken for the letter issued as in Ex.A1. There was a reply by the 2nd defendant under the Right to Information Act to the plaintiff dated 30.09.2013, which was marked as Ex.A2. The plaintiff also sent a letter through the Right to Information Act to the temple authority dated 18.08.2015, which was marked as Ex.A6, for which there was a reply from the temple authority marked as Ex.A8.

On perusal of the replies as in Ex.A2 and Ex.A8, it reveals that there was a resolution passed by the temple authority for putting up annadhanam shed. The acknowledgment card of the 3rd defendant was marked as Ex.A7. Again, Ex.A9 are letters issued by the plaintiff to the 1st and 2nd defendants regarding annadhanam shed, and the acknowledgment cards were marked as Ex.A10 and Ex.A11. However, the 1st and 2nd defendants have not let in evidence by subjecting themselves to examination before the Court except filing written statements.

On the other hand, the Executive Officer, namely the 3rd defendant, conducted the case and also marked the resolutions for putting up annadhanam shed, which were marked as Ex.B1 to Ex.B5. Further, the public tender notices issued by the 3rd defendant for the annadhanam shed were marked as Ex.B6 to Ex.B11 and Ex.B12, which disclose that the works were carried out through proper procedure and with approval of the authorities.

Thus, on perusal of the above documents, it is clear that the annadhanam shed was temporarily constructed for the benefit of the general public and devotees. There were resolutions passed and public tender notices issued, and the same were carried out in accordance with procedure. Therefore, there is no material to show maladministration or misuse of temple funds in respect of expenditure for putting up the shed during the temple festival.

It is further seen that the plaintiff had earlier preferred a writ petition before the Hon'ble High Court on the same issue regarding alleged misuse of temple funds for construction of annadhanam shed. The same was disposed of with a direction permitting the plaintiff to implead himself in the pending suit filed by the 5th defendant in O.S.No.208/2013. Thereafter, the said suit was also dismissed by this Court. The order copy and petition copy were marked as Ex.A13 and Ex.B15.

Thus, upon overall perusal of the documents and pleadings of all parties, even though the plaintiff has raised allegations that temple funds were utilized for the construction of the annadhanam shed, it is clearly established from the evidence that the said construction was undertaken only for a public purpose, pursuant to duly passed resolutions and in accordance with the prescribed procedure.

Significantly, the plaintiff himself has admitted that funds were allotted for the purpose of putting up the annadhanam shed. The plaintiff's own evidence, as extracted below, fortifies the case of the defendants:

“.....பக்தர்கள் தங்குவதற்காக கோவில் நிர்வாகம் சார்பாக விழாக்காலங்களில் தகர கொட்டகை அமைத்து தற்காலிக தங்குமிடம் அமைக்கப்படும் என்றால் சரிதான். அவ்வாறு தகர கொட்டகை அமைப்பதற்கு அறங்காவலர் தீர்மானம் உண்டு என்றால் சரிதான், தீர்மானத்திற்கு பிறகு அறநிலையத்துறை மேல் அதிகாரி அளவில் ஒப்புதல் பெறப்படும் என்றால் சரிதான். ஒப்புதலுக்கு பிறகு டெண்டர் விளம்பரம் செய்வர் என்றால் சரிதான். அந்த டெண்டரில் குறைந்தபட்ச விலைப்புள்ளி கோரப்படும்

என்றால் சரிதான். விழாவிிற்கு வரும் பக்தர்களுக்கு உணவளிக்க வேண்டி 6ம் பிரதிவாதி கோவில் நிர்வாக அனுமதி பெற்று என்னதானம் செய்து வருகிறார் என்றால் சரிதான். அந்த அன்னதானத்திற்கு முழு பொறுப்பு 6ம் பிரதிவாதியின் உடையது என்றால் சரிதான், 6ம் பிரதிவாதியின் பொறுப்பில் செய்யும் அன்னதானத்திற்கும் கோவில் நிர்வாகத்திற்கும் எவ்வித சம்மந்தம் கிடையாது என்றால் ஏதோ சம்மந்தம் இருக்கிறது.....”

A careful reading of the above admission makes it evident that the entire process, right from the passing of the trustee resolution, obtaining approval from the higher authorities of the HR&CE Department, calling for tenders, and execution based on the lowest bid, was duly followed. This clearly demonstrates procedural compliance and negates the allegation of misuse or misappropriation of temple funds.

Further, it is admitted that Annadhanam was being carried out with the permission of the temple administration, though the 6th defendant was primarily responsible for conducting the same. Even the plaintiff concedes that there exists at least some connection between the temple administration and the Annadhanam activity.

It is further stated that temporary sheds for the one-day Thiruvizha were put up for the benefit of the public to conduct Annadhanam voluntarily at their own cost. The invitation of the temple thiruvizha was marked as Ex.A20. The 6th defendant does not have any exclusive permission to conduct private Annadhanam in the temporary shed put up using temple funds.

Moreover, the 3rd defendant, in his written statement, has stated that there is no Mandapam for Annadhanam and that the same is organised voluntarily by the villagers, with the 6th defendant acting only as a coordinator without any personal gain. However, during the cross-examination of D.W.1, he has deposed otherwise

...தாவா கோவிலில் வெள்ளாலமரத்தை சுற்றி பிரகாரமும், முன் புறம் மகா மண்டபம் உள்ளது என்றால் சரிதான். அந்த மக மண்டபம் இடிக்கப்பட்டு புதுமண்டபம் கட்டப்பட்டுள்ளது என்றால் அதுபற்றி எனக்கு தெரியாது. அந்த மகா மண்டபம் என்பது சுமார் 600 அடி நீளம் 100 அகலமும் இருக்கும் என்றால் சரிதான்.....

....கோவில் முன் மண்டபத்திற்கு கீழ் புறம் விசேச காலங்களில் தற்காலிகமாக செட் போடுவோம் என்றால் சரிதான். மேற்படி தற்காலிகசெட்டில் சுமார் 50 நபர்கள் உணவு அருந்தலாம் என்றால் சரிதான் E.O அலுவலகத்திற்கு பின்புறம் ஒரு செட் உள்ளது என்றால் சரிதான். அதில் சுமார் 500 நபர்கள் உட்கார்ந்து உணவு அருந்த வசதி உள்ள இடம் என்றால் சரிதான், பாலடியார் கோவில் அருகில் உள்ள மண்டபம் நமக்கு நாமே என்ற திட்டத்தின் கீழ் கட்டப்பட்ட மண்டபம் உள்ளதா என்றால் உள்ளது ஆனால் நமக்கு நாமே திட்டத்தின் கீழ் கட்டப்பட்டதா என்றால் தெரியாது. மேற்படி மண்டபத்தில் சுமார் 2000 நபர்கள் உணவு அருந்தும் இடம் வசதி உள்ளது என்றால் சரியல்ல சுமார் 500 நபர்கள் தான் உணவு அருந்தும் இடம் வசதி உள்ளது நான் தவறாக சொல்கிறேன் என்றும் சுமார் 1500-2000 நபர்கள் வரை உணவு அருந்தலாம் என்றால் சரியல்ல.....

Therefore, the contention that there was no Mandapam cannot be accepted. Though it is stated that there is no specific rule mandating the conduct of Annadhanam by the temple, it is evident from the records that Annadhanam is being conducted daily by the temple as per Government directions.

This fact has also been admitted by the 3rd defendant, who is the Executive Officer of the temple. The relevant portion of the evidence of D.W.1 is as follows

....பக்தர்களுக்கு கோவில் நிர்வாக கட்டாயம் உணவு வழங்கவேண்டுமா என்றால் இல்லை. தாவா கோவில் நிர்வாகம் தினம்தோறும் மதியம் மட்டும் அன்னதானம் தாவா வழங்கப்பட்டுவருகிறது. மதியம் கொடுக்கும் அன்னதானம் அரசு கொடுக்கும் அன்னதானம் என்றால் சரிதான். எனது எதிர் வழக்குரையில் பாரா 14 ல் தாவா கோவிலில் மூலமாக பொதுமக்களுக்கு அன்னதானம் என்று ஏதும் தாவா திருக்கோவிலில் செய்வதில்லை என சொல்லியுள்ளேன் என்றால் சரிதான்.....

However, in view of the admission of the plaintiff that the temporary shed was put up, coupled with the contention regarding its improper utilization, it is for the temple administration to consider the necessity, manner of usage, and regulation of such temporary sheds for Annadhanam in future. Accordingly, the defendants are required to take appropriate steps in this regard by passing a proper resolution and issuing suitable orders in accordance with law.

Therefore, the plaintiff's own evidence does not support his allegations of misappropriation of temple funds and, on the contrary, establishes that the Annadhanam shed was constructed in furtherance of the temple's public and charitable functions for the benefit of devotees. However, the materials on record indicate that the manner of its utilization requires proper regulation and supervision by the temple administration.

Accordingly, in view of the foregoing discussion and the admissions elicited from the plaintiff, this Court holds that the plaintiff is not entitled to claim repayment of any amount alleged to have been expended from the temple funds for the erection of a temporary shed in connection with the Annadhanam organized by the 6th defendant during the period from 2013 to 2015.

It is evident that the said expenditure was incurred for a public and charitable purpose connected with the temple activities and in accordance with due procedure. Hence, the question of directing the defendants, except the 7th defendant, to repay such amount to the account of the suit temple, namely Arulmigu Podhu Aavudayar @ Mathiyapureshwarar Temple, Parakalakottai Village, does not arise.

Accordingly, this issue is answered against the plaintiff.

ii. Whether plaintiff is entitled for permanent injunction restraining the defendants 1 to 5,7 and 8th defendants from permitting the 6th defendant or any private individuals to collect money by using temple name, photograph of the suit temple, suit deity, temple invitation and temple prasadam?

It is the case of the plaintiff that during the period from 2013 to 2015, the 6th defendant, in collusion with defendants 3 and 4, conducted private annadhanam and put up a temporary shed by utilising temple funds, and hence the amount is liable to be repaid. Per contra, the 1st and 2nd defendants have stated that on the last Somavaram, thousands of devotees gather at the temple, necessitating arrangements for drinking water and food. Considering the substantial expenses involved, village representatives, with the knowledge and permission of the 3rd defendant, constituted an Annadhanam Committee, collected voluntary donations from willing contributors, and conducted annadhanam. According to them, the 6th defendant was only discharging responsibilities on behalf of the said committee.

It is their further contention that initially annadhanam was conducted in open space, causing hardship to devotees due to weather conditions, and therefore, upon request by the committee members, the 3rd defendant permitted erection of temporary sheds for the welfare of devotees. Such sheds were stated to have been erected annually through a transparent tender process. It is also contended that no funds from the temple administration were utilised and no permission was granted to any third party to use temple funds.

However, on a careful perusal of the pleadings and evidence, serious doubts arise regarding the said defence. Though the 1st and 2nd defendants have pleaded the formation of an Annadhanam Committee, no documentary evidence has been produced to substantiate the existence of such committee or its functioning. Further, the 3rd defendant, who is the Executive Officer examined as DW1, has categorically deposed that no such committee was in existence, thereby contradicting the stand taken by the 1st and 2nd defendants.

The evidence of DW1 is as follows:

...தாவா கோவிலில் ஆணையர் அன்னதான கமிட்டி அமைக்க ஏதேனும் உத்தரவு பிறப்பித்துள்ளாரா என்றால் இல்லை...

Even the 6th defendant also stated that there was no annadhana committee. The deposition of DW2 is as follows:

.....“அதே பக்கம் 30 ல் "பாக்கி தொகை கார்த்திகை கடைசி சோமாவார அன்னதான கமிட்டி மூலமாக பட்டுவாடா செய்யப்பட்டது என்று உள்ளது. அந்த அன்னதான கமிட்டியில் யார் யார் உள்ளார்கள் என்றால் அன்னதான கமிட்டி என்ற அமைப்பே இல்லை.....”

This contradiction goes to the root of the defence case.

Further, the materials on record disclose that the 6th defendant, a private individual, had collected huge amounts in the name of annadhanam by using the name of the suit temple Arulmigu Podhu Aavudayar @ Mathiyapureshwarar Temple, including use of temple name, photograph of the deity, temple invitation, and even temple prasadam. The 6th defendant admittedly maintained accounts in his individual capacity.

Such conduct, even if carried out with the knowledge or permission of temple authorities, cannot be said to be proper or permissible. The temple name and prasadam cannot be utilised by a private individual for collection of funds and conduct of annadhanam in an individual capacity.

As discussed in Issue No.1, it is true that the shed was put up and that the same could be used by the general public for annadhanam and was not exclusively meant for the 6th defendant. However, the act of the 6th defendant in independently collecting funds, printing materials in the name of the temple, and distributing prasadam, even as admitted by DW1 in cross-examination that such printing ought not to have been done, clearly establishes irregularity.

The evidence of DW1 is as follows...

...தனி நர்பகள் கோவில் பெயரை பயன்படுத்தி பணம் வசூலிக்க முடியாது என்றால் சரிதான். எண்ணிடம் காட்டப்படும் வா.சா.ஆ. 10 ல் தனி நபர்கள் கோவில் பெயரை பயன்படுத்தி அன்னதானத்திற்கு பணம் வசூலித்து அதற்கு வரவு செலவு கணக்கு புத்தகமாக அச்சடித்து வெளியிட்டுள்ளார்கள் என்றால் சரிதான். **அதுபோல் வெளியிடுவது தவறு.** நான் அந்த புத்தகத்தை பார்த்ததில்லை இப்போதுதான் பார்க்கிறேன். வா.சா.ஆ.10 ஆவணத்தின் புத்தகத்தில் மொத்த வரவு ரூ. 0.90,184/என்றும் செலவு ரூ. 7,10,584/ என்னும் மீதி கையிருப்பு ரூ.3,79,600/- என கண்டுள்ளது. 10.12.2012 ல் நடந்த சோமவார திருவிழாகாலத்தில் தனி நபர்களால் செய்யப்பட்ட அன்னதானத்திற்கு கோவில் செலவில் அன்னதான கொட்டகை அமைத்து கோவில் தேவஸ்தானம் பக்தர்கள் கொடுக்கப்பட்டது என்றால் சரியல்ல சரியல்ல...

The plaintiff has also marked Ex.A14 to Ex.A19, which are account books maintained in the name of the temple relating to collection of amounts for annadhanam. These documents show that substantial amounts were collected by invoking the temple name. This, coupled with the admission of the 6th defendant (DW2) that he collected amounts and maintained accounts with the permission of the Executive Officer and temple administrators, further strengthens the case of the plaintiff regarding misuse of temple name and lack of proper regulation.

The evidence of DW2 is as follows:

.....நான் அன்னதானம் செய்வது என்பது என் கை பணத்தை போட்டு செய்வதில்லை என்றால் சரிதான். நான் பொதுமக்களிடம் பணம் வசூல் செய்து அன்னதானம் செய்கிறேன் என்றால் வசூல் செய்யவில்லை பொதுமக்கள் கொடுப்பார்கள் அதை வைத்து நான் அன்னதானம் செய்வேன் நான் அன்னதானத்திற்கு பணம் கேட்டு பொதுமக்களிடம் நோட்டில் அடித்து கொடுப்பேன் என்றால் இல்லை. பணம்

கொடுப்பவர்களுக்கு நான் ரசீது கொடுப்பேனா என்றால் இல்லை. எவ்வளவு வசூல் மற்றும் செலவு விபரம் ஊர் மக்களுக்கு எப்படி தெரியும் என்றால் நான் ஒரு புத்தகம் அடித்து அதில் யார் யார் எவ்வளவு தொகை கொடுத்துள்ளார்கள் என்ற கணக்கு வைத்துள்ளேன் நான் அந்த புத்தகத்தை அச்சடித்து அனைவருக்கும் கொடுக்கிறேன் என்றால் இல்லை பணம் கொடுப்பவர்களுக்கு மட்டும் கொடுப்பேன். நன்கொடை கொடுப்பவர்களுக்கு என்ன கொடுப்போம் என்றால் கோவில் பிரசாதம், புக, சவிட் கொடுப்போம். என்னிடம் காட்டப்படும் புத்தகம் தான் என்றால் ஆமாம். கோவில் பெயர் போட்டு இறைவன் புகைப்படத்தை அச்சடிக்கப்பட்டுள்ளது என்றால் ஆமாம் அவ்வாறு புத்தகம் அச்சடித்து வசூலிக்க நான் இந்துஅறநிலைதுறையிலோ கோவில் நிர்வாகத்திலோ அனுமதி பெற்றுள்ளோமா என்றால் இல்லை ஆனால் அவர்களை வரவழைத்துதான் அன்னதானம் தொடங்குவோம். அவ்வாறு இந்துஅறநிலைதுறை முன்னிலையில்தான் அன்னதானம் வழங்குவோம் என்று அந்த புத்தகத்தில் உள்ளதா என்றால் இல்லை. எழுத்து மூல அனுமதி உள்ளதா என்றால் இல்லை புத்தகத்தில் கொடுக்கப்பட்டுள்ள தொலைபேசி எண் பல பேர் சேர்த்து செய்வோம் என்று என்னுடையது என்றால் ஆமாம் சொல்லியுள்ளேன் அவர்களது தொலைபேசி எண் பெயர்கள் இல்லை என்றால் ஆமாம். வருடம் வருடம் பல லட்சம் வசூல் செய்யப்பட்டு அதில் ரூ 3.4 லட்சங்கள் மிச்சம் மீரும் என்றால் ஆமாம், வருடம் வருடம் மிஞ்சும் தொகையை அறங்காவலரிடமோ. அடுத்த கோவில் நிர்வாகத்திடமோ கொடுக்கவில்லை என்றால் ஆமாம் அன்னதானத்திற்கு முன்பணமாக கொடுப்போம். நான் செய்யும் அன்னதானம் பொறுத்து கணக்கை இந்துஅறநிலைதுறையிடமோ கோவில் நிர்வாகத்திடமோ கொடுப்போமா என்றால் ஆமாம். அந்த புத்தகத்தில்தான் வரவு செலவு கணக்கு உள்ளது. அன்னதானத்திற்கு பந்தல் உதவி கோவில் நிர்வாகம் கொடுத்தது என்று புத்தகத்தில் உள்ளது என்றால் ஆமாம் . இந்துஅறநிலைதுறையும், 4 ம் பிரதிவாதியும் கோவில் தொகையை பந்தல் போட கொடுப்பதற்கு ஒப்புக்கொண்டுள்ளார்கள் என்றால் சரிதான். மற்றொரு

அறங்காவலரான 5 ம் பிரதிவாதி கோவில் கணக்கிலிருந்து பணம் கொடுக்ககூடாது என்று ஆட்சேபணை செய்துவருகிறார் என்றால் ஆமாம்.

தாவா கோவில் சார்பாக அன்னதானம் செய்ய நான் பொதுமக்களிடம் வசூல் செய்து அன்னதானம் செய்கிறேன் என்றால் நான் வசூல் செய்யவில்லை விரும்பி கொடுக்கத் மக்களிடமிருந்து அன்னதானம் செய்கிறேன். என்னை தேடி விரும்பி மக்கள் வந்து என்னிடம் பணம் கொடுக்க என்ன காரணம் என்றால் நான் 25 வருடமாக அன்னதான பொறுப்பில் இருந்துவருகிறேன். அன்னதான பொறுப்பில் நான் இருப்பதற்கு கோவில் நிர்வாகத்திடம் அனுமதி பெற்றுள்ளேனா என்றால் இல்லை. யார் சொல்லி நான் அன்னதானத்திற்கு வசூல் செய்கிறேன் என்றால் நான் மற்றும் 10 நபர்கள் ஒன்றாக முடிவு செய்து பசியாக வரும் மக்களுக்கு அன்னதானம் செய்கிறேன். மேற்படி 10 நபர்கள் யார் என்று பதில் உரையிலோ, நிர்வகிப்பவர்களுக்குமூலத்திலும் சொல்லவில்லை என்றால் சரிதான். மேற்படி 10 நபர்களுக்கு கோவில் நிர்வாக அதிகாரம் வழங்கியுள்ளதா என்றால் இல்லை. நான் வசூல் பண்ணும் தொகை பல லட்சங்கள் என்றால் சரிதான். அந்த வசூல் பணத்தை நான் தான் வரவு செலவு செய்கிறேன் என்றால் ஆமாம். அவ்வாறு வசூல் செய்வதற்கு வசூல் புத்தகம் உள்ளதா என்றால் இல்லை. 25 வருடமாக நான் வசூல் செய்வதற்கு பதிவேடு வைத்துள்ளேனா என்றால் இல்லை. வசூல் புத்தகம், பதிவேடு வைக்காததற்கு காரணம் உள்ளதா என்றால் இல்லை. நோட் புக்கில் எழுதுவோம். அந்த நோட்டு புத்தகத்தை தாக்கல் செய்யவில்லை என்றால் சரிதான். வரவு செலவு கணக்கு நான் சொல்வதுதான் என்றால் சாதான். அன்னதானம் செய்ததுபோக மீதம் உள்ள தொகையை நான் தான் வைத்துள்ளேன் என்றால் ஆமாம். மீதமுள்ள தொகையும் என்னிடம் வட்சகணக்கில் இருக்கும் என்றால் சரிதான். மீதி உள்ள தொகை எந்த வகையில் வைத்துள்ளேன் என்பதற்கு எந்த ஆவணமும் தாக்கல் செய்யவில்லை என்றால் சரிதான். வசூல் செய்ய கோவில்படம் போட்டு பத்திரிக்கை அடித்து கொடுப்பேனா என்றால் இல்லை.

The central question is whether the 6th defendant had any valid permission from the temple administration to collect funds and conduct annadhanam in the name of the temple. Though the 1st and 2nd defendants have contended that an Annadhanam Committee was constituted with the permission of the 3rd defendant and that the 6th defendant acted on its behalf, no documentary evidence has been produced to substantiate either the formation of such committee or the grant of permission. On the contrary, the 3rd defendant (Executive Officer), examined as DW1, has categorically deposed that no such committee existed. Further, the 6th defendant himself, examined as DW2, has clearly admitted in his evidence that he had not obtained any permission from the temple administration and that he, along with certain individuals, decided on their own to collect funds and conduct annadhanam. Even assuming that there was some form of knowledge or informal permission on the part of defendants 1 and 2, the same cannot be treated as a valid or lawful authorisation in the absence of any official record or sanction. In this context, the document marked as Ex.A2, signed by the 4th defendant and the Executive Officer, clearly stipulates that private individuals cannot establish annadhanam sheds through the temple and that any funds collected must be handed over to the temple, thereby negating the possibility of any valid permission. Thus, the evidence on record clearly establishes that the 6th defendant had no lawful authority to collect funds or conduct annadhanam in the name of the temple, and any alleged permission is unproved, informal, and legally unsustainable.

A careful reading of the above document makes it clear that the temple administration itself had taken a decision that no annadhanam shed should be established through the temple for private individuals and that if any amount is collected by individuals, the same must be handed over to the temple, upon which alone the temple may take a decision to erect such shed.

.....நான் அன்னதானத்திற்கு பணத்தை வசூலிப்பதற்கு என்ன பெயர் என்றால் அன்னதான அன்பளிப்பு. நான் அன்னதான அன்பளிப்பை வாங்கும்போது கோவில் பெயர் போட்ட பத்திரிக்கை, சுவாமி படம் போட்டு பத்திரிக்கை விநியோகம் செய்கிறோம் அதற்கு யார் அனுமதி கொடுத்தது. என்றால் அனுமதி யாரும் தரவில்லை. மனிதாபிமானத்தில் செய்கிறோம். EO விடம் அனுமதி பெற்றுள்ளோம். அதற்கு ஆவணங்களை ஏதும் தாக்கல் செய்துள்ளேனா என்றால் இல்லை. ஒவ்வொரு வருடமும் அன்னதானம் முடிந்த பிறகு மீதமுள்ள தொகையை கோவிலுக்கு செலுத்த கடமைபட்டவர்கள் என்றால் இல்லை. மீதி தொகையை கணக்கிலோ, என் கையிருப்பில் வைத்து கொண்டதற்கோ ஏதேனும் ஆவணங்கள் தாக்கல் செய்துள்ளேனா என்றால் இல்லை. அன்னதான எப்போதுமே அன்பளிப்பு வாங்குவதற்கு 5 பிரதிவாதி வங்கி EO ஒப்புக்கொண்டதில்லை என்றால் எனக்கு தெரியாது. EO மட்டும் தான் கோவிலை நிர்வகிக்கிறார் என்று நினைத்து அவரிடம் மட்டும் அனுமதி வாங்கி நான் அன்னதானம் செய்கிறேன் என்றால் சரிதான். இரண்டு பரம்பரை டிராஸ்டி அனுமத்தித்தால்தான் எந்த ஒரு விசயத்தையும் முழுவதுமாக செயல்படுத்த முடியும். அது பற்றி தெரியுமா என்றால் தெரியாது. என்னிடம் காட்டப்படும் 2015 ல் தற்காலிக கொட்டகை அமைப்பதற்காக ரூ.2,60,945/- கொடுத்தார்கள் என்றால் தெரியாது. வாதி தாக்கல் செய்துள்ள வழக்குரையை படித்து பார்த்துள்ளேனா என்றால் படித்து பார்த்துள்ளேன்.வாதியின் வழக்குரை பக்கம் 5 ல் "அன்னதாக கொட்டகை அமைப்பதற்காக 2015 ம் ஆண்டில் ரூ.2,60,945/- கோவில் நிர்வாகத்தால் செலவிடப்பட்டுள்ளது "அதே பக்கத்தில் "2014 ம் ஆண்டு அன்னதானம் வசூல் செலவில் பாக்கி தொகை ரூ.3,82,487/-" என்று காட்டப்பட்டுள்ளது என்றால் இருந்திருக்கலாம். "2014 ல் அன்னதான கொட்டகை அமைக்க கோவில் மூலம் செலவான தொகை ரூ.2,05,508/-"என்று காட்டப்பட்டுள்ளது அதே போல் "2014 ம் ஆண்டு அன்னதானம் வசூல் செலவில் பாக்கி தொகை ரூ.4.43,646/-"எனது கையிருப்பில் இருந்ததாக குறிப்பிடப்பட்டிருக்கிறது என்றால் சரிதான்....

.....2013 ல் அன்னதாக கொட்டகை அமைக்க கோவில் நிர்வாகம் செலவிட்ட தொகை ரூ.1,76,164/- அதே ஆண்டு அன்னதான செலவு போக எனது கையிருப்பில் மீதம் இருந்த தொகை ரூ.4,13,258.76/- என்று காட்டப்பட்டுள்ளது என்றால் சரிதான். 2012 ல் அன்னதாக கொட்டகை அமைக்க கோவில் நிர்வாகம் செலவிட்ட தொகை ரூ.169007/- அதே ஆண்டு அன்னதான செலவு போக எனது கையிருப்பில் மீதம் இருந்த என்றால் தொகை 5.379600/-என்று காட்டப்பட்டுள்ளதா காட்டப்பட்டுள்ளது. மேற்கண்ட தொகையில் ஆட்சேபனை இருப்பதாக எனது வாக்முலத்திலோ, எதிர்வழக்குரையிலோ சொல்லவில்லை என்றால் சரிதான். மீதமுள்ள தொகைக்கு வரவு செலவு கணக்கு விவரத்தை நீதிமன்றத்தில் தாக்கல் செய்யவில்லை என்றால் சரிதான். ஒவ்வொரு ஆண்டும் மீதமுள்ள தொகையை கொண்டு அன்னதான கொட்டகையை என்னால் அமைக்க முடியும் என்றால் இல்லை. என்ன காரணம் என்றால் அந்த பணத்தை கொண்டுதான் மீண்டும் அட்வான்ஸ் தொகை அன்னதானத்திற்கு கொடுக்க முடியும்

ஒவ்வொரு வருடமும் விவேச நாளுக்கு எத்தனை மாதம் முன்பாக வசூல் செய்வேன் என்றால் ஒரு வாரத்திற்கு முன்பு. ஒரு வாரத்திற்கு முன்பு வசூல் ஆகும் தொகையை வைத்து அட்வான்ஸ் கொடுக்க முடியும் நான் என் சுய லாபத்திற்காக பொய்யாக சொல்கிறேன் என்றால் இல்லை. எனது கையிருப்பிலேயே மீதம் உள்ள தொகை இலட்சகணக்கில் உள்ளதால் கோவில் செலவில் பந்தல் அமைக்க வேண்டிய அவசியம் இல்லை என்றால் சரியல்ல. பொதுவாக கோவிலுக்கு எந்த ஒரு காணிக்கை பொருள் கொடுத்தாலும் பக்தர் தன்னுடைய சொந்த செலவில்தான் கொடுப்பார்கள் என்றால் சரிதான். விவேசத்தில் எத்தனைபேர் அன்னதானம் சாப்பிடுவார்கள் என்றால் 30,000 பேருக்கு மேல். அன்னதானத்தில் மட்டும் கோவில் நிர்வாகம் செலவு செய்ய வேண்டும் என்று ஏன் நினைக்கிறேன் என்றால் கோவிலில் தரிசனம் செய்ய மக்கள் வருவதால் அவர்களுக்கு கொட்டகை அமைக்கிறார்கள் அந்த கொட்டகையில் அன்னதானம் செய்கிறேன். கோவிலில்

பக்தர்கள் தங்கி தரிசனம் பெறவேண்டிய அவசியம் இல்லை என்றால் இரவு நேர தரிசனம் என்பதால் 12.00 மணிக்கு மேல் தான் தரிசனம் என்பதால் தங்குவார்கள். பக்தர்கள் தங்கி தரிசனம் பெறுவதற்கு கோவில் மகாமண்டபம் உள்ளது என்றால் சரிதான். கார்த்திகை மாதம் என்பதால் மழை வர வாய்ப்புள்ளதால் கொட்டகை அமைப்பார்கள். நான் சொல்லும் அன்னதான கொட்டகை கோவிலிலிருந்து எத்தனை மீட்டர் தள்ளி உள்ளது என்றால் ஒரு 200 அடி.

என்னிடம் காட்டப்படும் கார்த்திகை சோமாவார திருவிழா அழைப்பிதழ் 2017 ம் ஆண்டு பத்திரிக்கை அட்டையில் உள்ள கைபேசி எண்.8939589888 என்று அச்சிடப்பட்டுள்ளது என்னுடையது என்றால் சரிதான். அன்னதாக தொடர்புக்கு என்று குறிப்பிடப்பட்டுள்ளது என்றால் சரிதான். அவ்வாறு கைபேசி நம்பரை குறிப்பிட யார் எனக்கு அதிகாரம் கொடுத்தது என்றால் யாரும் கொடுக்கவில்லை நானேதான் போட்டுக்கொண்டேன். அந்த திருவிழா அழைப்பிதழ் வா.சா.ஆ.18 ஆக குறியிடப்படுகிறது. பெரிய அளவில் அன்னதானம் செய்வதற்கு மாவட்ட ஆட்சியர், உணவு பாதுகாப்பு அலுவலர் ஆகியோரிடம் எழுத்து மூலம் அனுமதி வாங்கியுள்ளேனா என்றால் இல்லை.

வா.சா.ஆ.2 ஆவணத்தில் பக்கம் 3-ல் "திருக்கோவில் மூலம் அன்னதாகொட்டகை நிறுவ தீர்மானம் செய்யஇயலாது மேலும் அவ்வாறு தனிப்பட்டவர்களுக்கு திருக்கோவில் மூலம் செய்ய அவசியம் இல்லை அவர்களே அன்னதான கொட்டகை போட்டுக்கொள்ள வேண்டும் இல்லை எனில் அவர்கள் வசூலித்த தொகையை திருக்கோவில் வசம் ஒப்படைத்தால் திருக்கோவில் மூலம் கொட்டகை அமைக்க தீர்மானம் கொடுக்கலாம்" என்று பரம்பரை அறங்காவலர் 4ம் பிரதிவாதி சடகோப ராமானுஜம் கையெழுத்து போட்டுள்ளார் என்றால் ஆமாம். அதனுடைய மறு பக்கத்தில் EO கையெழுத்து போட்டுள்ளார் என்றால் ஆமாம்.

In the present case, as per the above detailed evidence of the 6th defendant that he has admittedly collected substantial amounts in the name of annadhanam by using the name of the temple and has maintained accounts in his individual capacity. There is no material to show that such collected amount was handed over to the temple. On the other hand, the evidence shows that temple name, prasadam, and administrative support were extended to the 6th defendant.

Thus, the conduct of the defendants is directly contrary to the very decision recorded in ExA2. Having taken such a stand in the said document, the defendants cannot now take a contradictory plea that no irregularity has occurred.

.....என்னிடம் காட்டப்படும் ஆவணம் நான் அன்னதானத்திற்கு வசூல் செய்த வரவு செலவு புத்தகம் என்றால் சரிதான். அது 2011 ஆண்டிற்கு உரியது என்றால் சரிதான். அதில் பக்கம் 30 ல் "2011 ம் ஆண்டு பொங்கல் அன்று அன்னதானம் வழங்கிய செலவு" என்று உள்ளது என்றால் ஆமாம். எவ்வளவு செலவு செய்துள்ளோம் என்றால் ரூ.47,027/-. இதேபோல் ஒவ்வொரு ஆண்டும் பொங்கல் அன்னதானத்திற்கு வரவு செலவு கணக்கு காட்டியுள்ளேன் என்றால் ஆமாம். மேற்கண்ட விவரத்தை எனது வாக்குமூலத்திலோ, பதில் உரையிலோ சொல்லியுள்ளேனா என்றால் இல்லை. எவ்வளவு பணம் யார் யாரிடம் பட்டுவாடா செய்யப்பட்டது என்ற விவரம் சொல்லப்படவில்லை என்றால் சரிதான்.

At the same time, there is a clear contradiction in the stand of the defendants. On one hand, they deny utilisation of temple funds and deny granting permission to third parties. On the other hand, they admit permission for collection of funds and conduct of annadhanam. Such inconsistent stands render the defence unreliable.

The contention of the defendants that no complaint has been made by any member of the general public cannot be accepted. The general public attending temple festivals may not be in a position to question or challenge such acts. It is ordinarily persons having a direct interest in the temple administration, including local devotees, who are in a position to bring such irregularities to light. Therefore, the locus standi of the plaintiff cannot be doubted merely on that ground.

Thus, upon consideration of the evidence of DW1 and DW2 and the documentary evidence on record, it is clear that there was a malpractice in collecting amounts for annadhanam by using the temple name, and that the same was carried out by the 6th defendant with the knowledge and collusion of defendants 1 to 4.

In such circumstances, the plaintiff is entitled to permanent injunction restraining the defendants 1 to 5, 7 and 8 from permitting the 6th defendant or any private individuals to collect money by using the temple name, photograph of the suit temple, suit deity, temple invitation and temple prasadam.

Therefore, this issue is answered in favour of plaintiff.

9. Issue No.3

Whether plaintiff is entitled for restraining the 6th defendant and his men in any way collecting money by using the name of suit temple Arul Migu Podhu Aavudayar @Mathiyapureshwarar temple, Parakalakkottai village?

As already discussed in Issue No.1 and Issue No.2, this Court has found that the alleged Annadhanam Committee is not proved and no documentary evidence has been produced to establish its formation or functioning. The evidence of DW1 Executive Officer clearly shows that no such committee was in existence. Even the 6th defendant DW2 has admitted that there was no such committee and that he has not obtained any valid permission from the temple administration for collecting money and conducting annadhanam.

Further, the evidence of DW2 clearly establishes that he has been collecting money from the public in his individual capacity by using the temple name and conducting annadhanam on his own decision along with certain individuals. He has also admitted that no written permission was obtained from the temple administration or competent authorities, and that proper accounts were not maintained or submitted.

As already found, the 6th defendant had collected substantial amounts in the name of the temple by using the temple name, photograph of the deity, temple invitation and temple prasadam. Such acts by a private individual are not permissible. The temple name and its associated religious identity cannot be used by any individual for collection of money without proper authority.

Further, as discussed earlier, the document marked as Ex.A2 clearly stipulates that private individuals cannot establish annadhanam arrangements through the temple and that any amount collected must be handed over to the temple, upon which alone the temple may take a decision. In the present case, admittedly, the 6th defendant has not handed over the collected amounts to the temple and has acted independently.

This Court has already found in the earlier issues that there was a malpractice in collecting money for annadhanam by using the temple name, and that such activity was carried out by the 6th defendant with the knowledge and collusion of defendants 1 to 4. Therefore, the continued collection of money by the 6th defendant and his men would amount to continuation of such irregular and unauthorised activity. Thus, in view of the findings already rendered in Issue No.1 and Issue No.2, it is clear that the 6th defendant and his men have no lawful authority to collect money by using the name of the suit temple.

Accordingly, this Court holds that the plaintiff is entitled to restrain the 6th defendant and his men from in any way collecting money by using the name of the suit temple Arul Migu Podhu Aavudayar @ Mathiyapureswarar Temple, Parakalakkottai village.

10. Issue No.4:

Whether plaintiff is entitled for restraining the defendants 1 to 5,7 and 8th defendant from allotting temple money to put up temporary shed for private annadhanam?

As already discussed in Issue No.1 and Issue No.2, this Court has found that the 6th defendant was collecting money and conducting annadhanam in his individual capacity without any valid permission and by using the name of the temple. It has also been established that such collection of money by using temple name and associated materials amounts to malpractice and is not legally sustainable.

At the same time, the evidence on record shows that the temporary shed put up was not exclusively used by the 6th defendant, but was available for use by the general public and devotees for conducting annadhanam. Therefore, putting up of temporary shed for the benefit of devotees and general public cannot be said to be impermissible.

However, the crucial aspect is that such facility cannot be linked with or utilised for private annadhanam conducted by the 6th defendant or any individual by collecting money in the name of the temple. The temple administration cannot allot or utilise temple funds in such a manner that it indirectly supports or facilitates unauthorised private collection of money by using temple name, photograph, invitation or prasadam.

Thus, while the erection of temporary shed for general public use is permissible, the same cannot be permitted to be used in connection with or in support of private annadhanam activities carried out by the 6th defendant or others by misusing the temple name.

Accordingly, this Court holds that the plaintiff is not entitled to restrain the defendants from putting up temporary sheds for the benefit of the general public and devotees, however, such sheds shall be put up only upon a proper resolution and with due orders passed by the temple administration, which shall decide the necessity for such construction and the utilisation of temple funds, strictly in accordance with the provisions of the HR & CE Act.

However, the plaintiff is entitled to restrain the defendants from allotting or utilising temple funds for putting up temporary sheds in connection with or in support of private annadhanam conducted by the 6th defendant or any individuals by using the name of the temple.

Thus, the relief of injunction is granted to the limited extent that the defendants are restrained from utilising temple funds for supporting private annadhanam activities carried out in the name of the temple, while permitting erection of sheds for general public use.

11. Issue No.5

To what other relief ?

Since the necessary relief has already been granted to the plaintiffs, no further reliefs are warranted. Accordingly, this issue is answered.

In the result, suit is decreed without cost.

Directly dictated to the Steno-Typist typed by his, corrected and additions made by me and pronounced by me in open court on this the 28th day of March 2026.

District Munsif,
Pattukkottai.

Plaintiff's Side Witnesses:-

P.W.1	Mariyappan
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Documents marked on the side of plaintiff :-

S.No	Date	Particulars	Remarks
1.Ex. A1	19.11.2012	Letter issued by plaintiff to the 2 nd defendant	Office Copy
2.Ex. A2	30.09.2013	Details issued by the 2 nd defendant Under Right to Information Act to the Plaintiff.	Original
3.Ex. A3	07.12.2013	Letter issued by the plaintiff to the 2 nd defendant and others	Office copy
4.Ex. A4	09.12.2012	Postal Acknowledgement of the 1 st defendant	Original
5.Ex. A5	14.12.2013	Postal Acknowledgement of the 1 st defendant	Original
6.Ex. A6	18.08.2015	Letter issued by the plaintiff under Right to Information Act to the Temple Authority.	Original
7.Ex. A7		Postal Acknowledgement	Original
8.Ex. A8	31.08.2015	Reply from the Temple Authority for the petition under RTI Act	Office copy
9.Ex. A9	08.09.2015	Letter issued by the Plaintiff to the 1 st and 2 nd defendants	Office copy
10.Ex. A10	09.09.2015	Postal Acknowledgement of the 2 nd defendant.	Original
11.Ex. A11	11.09.2015	Postal Acknowledgement of the 1 st defendant.	Original
12.Ex. A12	17.10.2015	Public Tender Notice issued by the	Original

		3 rd defendant	
13.Ex. A13	14.12.2015	Order copy of W.P.No.22359/2005	Original
14.Ex. A14	12.12.2011	Income and Expenditure Account book of Suit temple (2011)	Original
15.Ex. A15	10.12.2012	Income and Expenditure Account book of Suit temple (2012)	Original
16.Ex. A16	09.12.2013	Income and Expenditure Account book of Suit temple (2013)	Original
17.Ex. A17	15.12.2014	Income and Expenditure Account book of Suit temple (2014)	Original
18. Ex. A18	14.12.2015	Income and Expenditure Account book of Suit temple (2015)	Original
19. Ex. A19	12.12.2016	Income and Expenditure Account book of Suit temple (2016)	Original
20. Ex.A20		Thiruvizha Invitation	Original

Defendant's Side Witness:-

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D.W.1	Ravichandiran
D.W.2	Ramachandiran

Documents marked on the side of Defendant's

S.No	Date	Particulars	Remarks
1.Ex. B1	06.09.2012	Resolution No.7 Tin sheet relating to the	True copy
2.Ex. B2	29.10.2013	Resolution No.1 Tin sheet relating to the	True copy
3.Ex. B3	17.10.2013	Resolution No.17 Tin sheet relating to the	True copy
4.Ex. B4	14.09.2015	Resolution No.76 Tin sheet relating to the	True copy

5.Ex. B5	07.10.2016	Resolution No.16 Tin sheet relating to the	True copy
6.Ex. B6	10.12.2012	Order of the Joint Commissioner granting approval to the tender	Original
7.Ex. B7	30.12.2013	Order of the Joint Commissioner granting approval to the tender	Original
8.Ex. B8	17.11.2014	Order of the Joint Commissioner granting approval to the tender	Original
9.Ex. B9	06.01.2016	Order of the Joint Commissioner granting approval to the tender	Original
10.Ex. B10	17.10.2015	Tender notification published in the Dhina Thanthi newspaper	Orginal
11.Ex. B11	03.11.2016	Tender notification published in the Dhina Thanthi newspaper	Orginal
12.Ex. B12		Somavara income particulars for Fasil 1423	True copy
13.Ex. B13		Somavara register for Fasil 1424	
14.Ex. B14		Somavara register for Fasil 1425	
15.Ex. B15		W.P.(MD) No. 22359/2015	Certified copy

District Munsif,
Pattukkottai.