



W.P.(MD).No.6878 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12-03-2026

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THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.(MD).No.6878 of 2026

and

W.M.P(MD).No.5709 of 2026

Mr.R.Muthupandi

... Petitioner

Vs.

1. The District Collector,
Tenkasi District,
Office of the Collectorate,
Tenkasi.
2. The Commissioner,
Tamilnadu Hindu Religious and Charitable Endowment,
Nungambakkam,
Chennai - 600 034.
3. The Joint Commissioner,
Hindu Religious and Charitable Endowments,
Admn. Dept.,
Tuticorin District.
4. The Asst. Commissioner,
Hindu Religious and Charitable Endowments,
Admn. Dept.,
Tenkasi District.
5. The Fit Person,
Sri Kaliyamman Temple,
Kumunthapuram,
Kadayanallur Taluk
Tenkasi District
Having office at,
Sri Muppidathi Amman Temple,
Kadayanallur Taluk,
Tenkasi District.

... Respondents



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PRAYER: Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Mandamus, forbearing the respondents 2 to 5 from in any manner removing the Idols of Lord Murugan and Lord Ayyappan, from the premises of Sri Kaliamman Temple, Kumunthapuram Village, Kadayanallur Taluk, Tenkasi District with a further direction to continue performance of Poojas as has been done for the past 19 years by considering our representation dated 21-2-2026 to the 5th respondent and pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of the case and thus render justice.

For Petitioner : Mr.T.S.Vijaya Raghava

For R1 to R4 : Mr.M.Sarangan
Additional Government Pleader

ORDER

The writ petition is filed for a mandamus directing the respondents 2 to 5 from in any manner removing the idols of Lord Murugan and Lord Ayyappan, from the premises of Sri Kaliamman Temple, Kumunthapuram Village, Kadayanallur Taluk, Tenkasi District with a further direction to continue the poojas as has been done for the past 19 years by considering the petitioner's representation dated 21.02.2026.



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2. Heard Mr.T.S.Vijaya Raghavan, learned counsel for the petitioner and Mr.M.Sarangan, learned Additional Government Pleader, who takes notice for R1 to R4.

3. Upon hearing the learned counsel for the petitioner and perusing the materials on record, it is submitted that the grievance of the petitioner relates to the temple in question. It is stated that, historically, when people from the village began going to Sabarimala Temple, they initially installed a temporary paper-mache statue of Lord Ayyappa. Every year, during the Karthigai month and other Sabarimala seasons, they would come to the temple to initiate the “Malai” and the 48-day rituals, followed by elaborate Poojas. The idol was kept in a safe place. In recent times, the paper-mache idol was replaced with a Panchaloka idol. Similarly, a Panchaloka idol of Lord Muruga was also installed and devotees were worshipping these idols. However, on account of communal tension and other interests, objections have been raised, and the 5th respondent/Fit Person of the temple is now attempting to remove the idols. Therefore, the petitioner is before this Court.



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4. Per contra, the learned Additional Government Pleader for respondents 1 to 4 would submit that the temple in question is a 200-year-old Kalamman Temple. Traditionally, devotees worship Kalamman in a specific manner, including the offering of non-vegetarian items. In view thereof, the installation or worship of idols of Lord Muruga and Lord Ayyappa may not be appropriate. As per the religious traditions, no non-vegetarian offerings can be made in a temple where Lord Ayyappa or Lord Muruga are enshrined. Consequently, serious objections have been raised from several quarters in this regard. It is further submitted that, taking advantage of the presence of the current idols, yet another group of persons now seeks to install an idol of Lord Krishna. If such practices are allowed, the traditions of the temple will be compromised. Under Hindu traditions, separate temples are normally constructed for different deities, as the manner of worship and rituals may clash if multiple idols are placed within the same temple.

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



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6. The questions that arise in the instant case concern the traditional customary practices and religious traditions relating to the installation of idols in the temple, as well as the manner of worship, including whether offerings should be restricted to vegetarian items or may also include non-vegetarian items. All these issues are to be decided in the exercise of powers under Section 63 by the 3rd respondent/Joint Commissioner.

7. In view thereof, the writ petition is disposed of on the following terms:-

- i. The 3rd respondent/Joint Commissioner is directed to consider the representation of the petitioner dated 21.02.2026 and conduct an enquiry by treating it as a proceedings under Section 63 of the HR & CE Act, after issuing notice to the petitioner as well as the interested parties, if any.
- ii. Every person is entitled to claim all customary rights they wish to assert in respect of the temple. It is made clear that no request shall be considered on the basis of caste .



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- iii. All other customary rituals and practices may be considered by the Joint Commissioner, who shall determine the appropriateness of worshipping the idols of Lord Ayyappa and Lord Muruga in the present temple. In doing so, the Joint Commissioner shall hear all concerned parties and pass appropriate orders, as observed supra
- iv. In the meantime, if there is any proposal to construct a separate temple, the same shall also be considered.
- v. It is made clear that this Court is not expressing any opinion on the merits of the matter and it would be left open for the 3rd respondent/Joint Commissioner herein to decide the issue in the manner known to law. It is also open for the parties, to place all such additional materials and take such stance before the 3rd respondent/Joint Commissioner.
- vi. No costs. Consequently, connected miscellaneous petition is closed.

12.03.2026

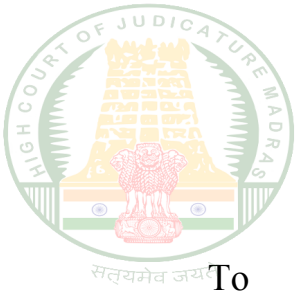
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Speaking Order: Yes
Neutral Citation: No
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