

W.P.(MD) Nos.21993 & 22016 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 08.08.2025

CORAM

THE HON'BLE MR.JUSTICE C.SARAVANAN

W.P.(MD)Nos.21993 & 22016 of 2025

and

W.M.P(MD)Nos.17087 & 17119 of 2025

W.P.(MD)Nos.21993 of 2025

A.K.Murugan

...Petitioner

Vs.

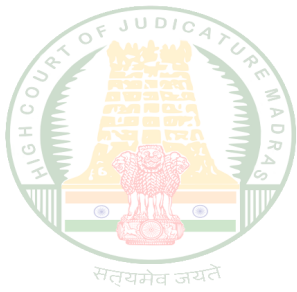
1.The Joint Commissioner,
Hindu Religious and Charitable Endowment Board,
Madurai.

2.The Deputy Commissioner/Executive Officer,
Arulmighu Kallalagar Thirukkivil,
Alagar Kovil, Madurai District.

3. T.V.Karuppanan @ Rajendran

...Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a **Writ of Certiorarified Mandamus** call for the records in I.A.No.29 of 2025, in O.A.No.16 of 2019, dated 01.08.2025, passed by the 1st Respondent and to quash the same as illegal, ultravires, and unsustainable and to allow the petition in I.A.No.29 of 2025 in O.A.No.16 of 2019, on the file of 1st Respondent namely to not to give Special Honour to 3rd Respondent herein.



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W.P.(MD) Nos.21993 & 22016 of 2025

For Petitioner : Mr.V.Vijayasethupathy
For Respondents : Mr.S.S.Madhavan
Additional Government Pleader
for R1
Mr.S.Manohar
Standing Counsel for R2
Mr.Mahendran for
Mr.Arun Kumar for R3

* * * * *

W.P.(MD)Nos.22016 of 2025

T.V.Rajendran

...Petitioner

Vs.

1.The Deputy Commissioner/the Executive Officer,
Arulmigu Kallalagar Thirukovil,
Alagar Kovil, Madurai.

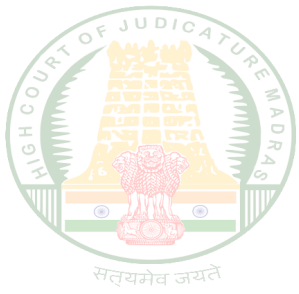
2.A.K.Murugan

...Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a **Writ of Certiorarified Mandamus** calling for the records of proceedings of the 1st respondent in Na.Ka.No.1578/2025/A4-1 dated 07.08.2025 and quash the same as illegal and non est in law and consequently direct the 1st respondent to offer the honor meant for 2nd Karai Ambalakarar of Therukutheru village to the petitioner.

For Petitioner : Mr.Mahendran
for M/s.Arun Kumaar
For Respondents : Mr.S.Manohar
Standing Counsel for R1
Mr.Vijayasethupathy for R2

* * * * *



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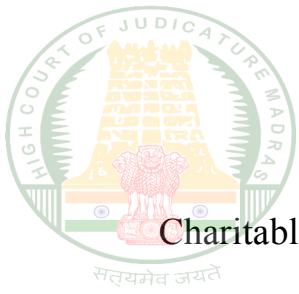
COMMON ORDER

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These Writ Petitions have been filed by two rival parties, who are opposing each other in O.A.No.16 of 2019 filed by the petitioner in W.P.(MD) No.21993 of 2025 [A.K.Murugan].

2. The petitioner in W.P.(MD) No.21993 of 2025 [A.K.Murugan] has filed this Writ Petition in W.P.(MD) No.21993 of 2025 for issuance of a Writ of Certiorarified Mandamus to call for the records relating to the order dated 01.08.2025 passed by the first respondent [Joint Commissioner] in I.A.No.29 of 2025 in O.A.No.16 of 2019 and to quash the same as illegal, ultravires and unsustainable and consequently to allow the petition in I.A.No.29 of 2025 in O.A.No.16 of 2019 filed by the petitioner in W.P.(MD) No.21993 of 2025 [A.K.Murugan] before the first respondent [Joint Commissioner], thereby restraining the grant of any special honour to the third respondent in W.P.(MD) No.21993 of 2025/the petitioner in W.P.(MD) No.22016 of 2025 [T.V.Rajendran].

3. The petitioner in W.P.(MD) No.22016 of 2025 [T.V.Rajendran] has challenged the order dated 07.08.2025 passed by the first respondent [Deputy Commissioner/Executive Officer of Arulmigu Kallagar Thirukovil], which was purportedly passed after the Joint Commissioner of the Hindu Religious and



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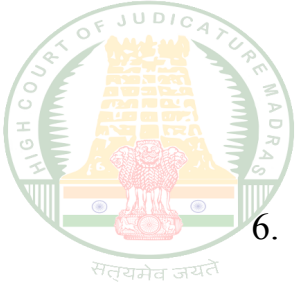
Charitable Endowments passed order dated 01.08.2025 in I.A.No.29 of 2025 in O.A.No.16 of 2019 impugned in W.P.(MD)No.21993 of 2025.

4. The conferment of the first honour on persons, after drawing the third rope of the temple chariot during the Aadi festival to be held tomorrow (i.e., 09.08.2025) at Alagarkovil Temple, is in dispute. Every year during the temple festival, the temple chariot is drawn around the temple premises and four long ropes are used for this purpose, with the rights to pull each rope assigned to certain groups, as follows:

- 1st Rope : Velliyankundram Zamin
- 2nd Rope : Vellaripatti Village and Narasingampatti Village known as Melatheru
- 3rd Rope : Therkutheru Villages *
- 4th Rope : Mangulam and other Villages

* dispute in these Writ Petitions

5. Both the petitioners belong to the same village, namely, Therkutheru Village and belong to the same Karai, namely, Thalayan Karai. The dispute in the present case is confined to Thalayan Karai of Therkutheru Village, Melur Taluk, Madurai District.



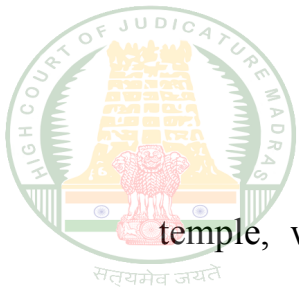
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6. The petitioner in W.P.(MD) No.21993 of 2025 [A.K.Murugan] has approached the Joint Commissioner in O.A.No.16 of 2019 under Section 63(e) of the Act for the following relief:

- “1) வாதிக்கு கிடைக்க வேண்டிய அம்பலப் பட்டம் மரியாதையை வாதிக்கு வழங்கி விளம்புகை செய்து உத்தரவிடுமாறும்,
- 2) தாவா வழக்கு முடியும் வரை 1-ம் பிரதிவாதிக்கு அம்பலப் பட்டம் வழங்கக்கூடாது என்று தடையுத்தரவு வழங்குமாறும், மற்றும்
- 3) தாவா வழக்கின் இம்மாண்புமிகு நீதிமன்றத்தின் இறுதி உத்தரவு வரும் வரை 2 மற்றும் 3 பிரதிவாதிகள் 1-ம் பிரதிவாதிக்கு தாவா அம்பலப் பட்டம் சம்பந்தப்பட்ட மேற்சொன்ன கோவில்களில் அம்பலப்பட்டம் எதுவும் நடைமுறைப்படுத்தப்படக்கூடாது என்று தகுந்த உத்தரவு பிறப்பித்தும்,
- 4) இந்த வாதிக்கு வழக்கு ஆவணங்களின் அடிப்படையில் இம்மாண்புமிகு நீதிமன்றம் கருதும் இன்ன பிற பரிகாரங்கள் வழங்கி உத்தரவிடுமாறும் மாண்புமிகு நீதிமன்றத்தில் பணிந்து பிரார்த்திக்கப்படுகிறது.”

7. The first respondent in the said O.A. is none other than the petitioner in W.P.(MD) No.22016 of 2025 [T.V. Rajendran]. The second respondent in the said O.A. is the Deputy Commissioner/Executive Officer of the temple.

8. Last week, the petitioner in W.P.(MD) No.21993 of 2025 [A.K. Murugan] had approached this Court in W.P.(MD) No.19556 of 2025 for a writ of mandamus to direct the Deputy Commissioner/Executive Officer of the

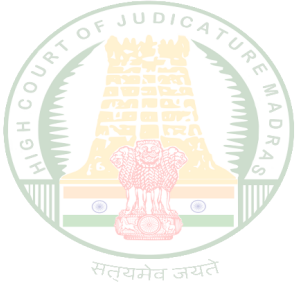


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temple, who was the third respondent therein, to consider the petitioner's representation dated 19.06.2025 sent for conferment of first honour on him while conducting the Aadi Therottam scheduled on 09.08.2025, taking into account the pendency of O.A.No.16 of 2019 before the Joint Commissioner, HR & CE, Madurai, with regard to the conferment of first honour, between both the petitioners i.e., the petitioner in W.P.(MD) No.21993 of 2025 [A.K.Murugan] and the petitioner in W.P.(MD) No.22016 of 2025 [T.V. Rajendran] and further not to grant any special honours, including Parivatta Mariyathai, to the petitioner in W.P.(MD) No.22016 of 2025 [T.V. Rajendran], who was the fourth respondent therein.

9. The said W.P.(MD) No.19556 of 2025 was disposed of by this Court at the time of admission on 18.07.2025, by granting liberty to the petitioner in W.P.(MD) No.21993 of 2025 [A.K. Murugan] to approach the Joint Commissioner for interim relief and further directing the Joint Commissioner to pass appropriate orders on an application to be filed by the petitioner in W.P. (MD) No.21993 of 2025 [A.K. Murugan], considering the fact that the temple festival is scheduled to be held on 09.08.2025.

10. Operative portion of the aforesaid order dated 18.07.2025 passed by this Court in W.P.(MD) No.19556 of 2025 reads as under:



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“Considering the same, the Joint Commissioner, Hindu Religious and Charitable Endowments Department, Madurai, is suo motu impleaded as the fifth respondent in this Writ Petition. There shall be a direction to the fifth respondent/Joint Commissioner to dispose of the Original Application in O.A.No.16 of 2019, as expeditiously as possible. In case the petitioner wants any interim relief, he may move the Joint Commissioner for the same. If such an application is filed, the fifth respondent/Joint Commissioner shall consider the same and pass appropriate orders in accordance with law. Needless to state. before passing any order, the petitioner and the fourth respondent shall be heard.”

11. Pursuant to the order dated 18.07.2025 passed by this Court in W.P. (MD) No.19556 of 2025, the petitioner in W.P.(MD) No.21993 of 2025 [A.K.Murugan] has filed I.A.No.29 of 2025 in O.A.No.16 of 2019 before the Joint Commissioner. The prayer in the said I.A.No.29 of 2025 in O.A.No.16 of 2019 reads as under:

“இத்துடன் அபிடவிட்டில் கண்டுள்ள காரணங்களினால் கோர்ட்டார் அவர்கள் கிருபை செய்து 3ம் எதிர்மனுதாரர் கோவில் வருகிற 09.08.2025ம் தேதி அன்று நடைபெற உள்ள ஆடிதேரோட்ட திருவிழாவின் போது 1ம் எதிர்மனுதாரருக்கு எவ்வித அம்பல பரிவட்ட மரியாதையும் வழங்கக்கூடாது என்று ஒரு தற்காலிக உறுத்துக்கட்டளை பரிகாரம் இப்பிரதான வழக்கு முடியும் வரை வழங்கிட வேண்டி நீதியின்பால் பிரார்த்திக்கப்படுகிறது.”

12. The prayer of the petitioner in W.P.(MD) No.21993 of 2025 [A.K.Murugan] in I.A.No.29 of 2025 in O.A.No.16 of 2019 was that no right



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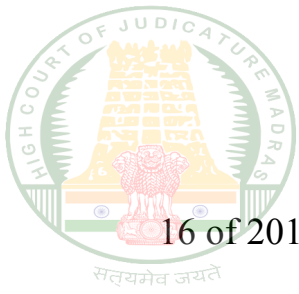
should be conferred on the petitioner in W.P.(MD) No.22016 of 2025 [T.V.Rajendran].

13. Pursuant to the direction of this Court *vide* order dated 18.07.2025 in W.P.(MD) No.19556 of 2025, the Joint Commissioner, after considering the submissions of the petitioner in W.P.(MD) No.21993 of 2025 [A.K.Murugan], who was the applicant in I.A.No.29 of 2025 in O.A.No.16 of 2019, by order dated 01.08.2025 impugned in W.P.(MD) No.21993 of 2025, rejected the said prayer of the petitioner.

14. Relevant portion from the order dated 01.08.2025 passed by the Joint Commissioner in I.A.No.29 of 2025 in O.A.No.16 of 2019, impugned in W.P. (MD) No.21993 of 2025, reads as under:-

“மேற்படி இரு தரப்பின் அனைத்து ஆவணங்கள், வாதுரைகள் மற்றும் அதன் சங்கதிகளையும் கவனமுடன் பரிசீலனை செய்யப்பட்டதில், மேற்படி இடைநிலை மனுவின் பரிகாரங்கள் பிரதான மனுவில் தான் முடிவு செய்ய இயலும் என்பதால் மேற்படி இடைநிலை மனு தள்ளுபடி உத்தரவிடப்படுகிறது.”

15. By the order dated 01.08.2025, impugned in W.P.(MD) No.21993 of 2025, the Joint Commissioner held that the relief sought by the petitioner in W.P.(MD) No.21993 of 2025 [A.K.Murugan] in I.A.No.29 of 2025 in O.A.No.



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16 of 2019 could be decided only at the time of final hearing. Consequently, the said A.K.Murugan has filed this Writ Petition in W.P.(MD) No.21993 of 2025 to quash the said order dated 01.08.2025 passed by the Joint Commissioner, who has been arrayed as the first respondent in W.P.(MD) No.21993 of 2025.

16. Following the same, the Deputy Commissioner/Executive Officer of the temple, who has been arrayed as the second respondent in W.P.(MD) No. 21993 of 2025 and the first respondent in W.P.(MD) No.22016 of 2025, after considering the request of both the petitioners in their applications for conferment of first honour on either of them, passed an order on 07.08.2025 impugned in W.P.(MD) No.22016 of 2025 by the said T.V.Rajendran.

17. In the order dated 07.08.2025, impugned in W.P.(MD) No.22016 of 2025, the Deputy Commissioner/Executive Officer of the temple rejected the request of the petitioner in W.P.(MD) No.22016 of 2025 [T.V.Rajendran] for conferment of honours, on the ground that since the order dated 01.08.2025 passed by the Joint Commissioner in I.A.No.29 of 2025 in O.A. No.16 of 2019, impugned in W.P.(MD) No.21993 of 2025 had not specifically stated that the petitioner in W.P.(MD) No.22016 of 2025 [T.V.Rajendran] was entitled to any special honour, while rejecting the request of the petitioner in W.P.(MD) No. 21993 of 2025 [A.K.Murugan] for conferment of first honour. This is not in line



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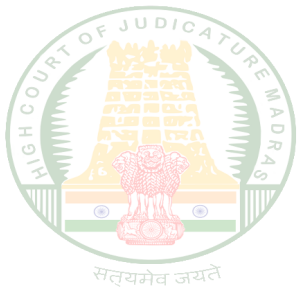
with the order dated 01.08.2025 passed by the Joint Commissioner in I.A. No. 29 of 2025 in O.A.No.16 of 2019, impugned in W.P.(MD) No.21993 of 2025.

18. Therefore, the above order of the Deputy Commissioner/Executive Officer of the temple dated 07.08.2025, impugned in W.P.(MD) No.22016 of 2025, has to be held contrary to the scope of the relief sought by the petitioner in W.P.(MD) No.21993 of 2025 [A.K.Murugan] in I.A.No.29 of 2025 in O.A.No.16 of 2019 before the Joint Commissioner.

19. That apart, 8 Amabalakarars in Thalayan Karai and others have not opposed to conferring first honour to the petitioner in W.P.(MD) No.22016 of 2025 [T.V.Rajendran].

20. Therefore, the above order of the Deputy Commissioner/Executive Officer of the temple dated 07.08.2025, impugned in W.P.(MD) No.22016 of 2025, is liable to be quashed and is quashed. Consequently, the petitioner in W.P.(MD) No.22016 of 2025 [T.V.Rajendran] is to be conferred with the rights in the absence of any contra order of the Joint Commissioner.

21. However, it is made clear that this arrangement will apply only to the current temple festival scheduled to be held tomorrow (i.e., on 09.08.2025).



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22. The rights for the ensuing temple festival shall be in terms of the orders to be passed by the Joint Commissioner in O.A.No.16 of 2019. It is made clear that the observations in this order will not prejudice the rights of the petitioner in W.P.(MD) No.21993 of 2025 [A.K.Murugan] in O.A.No.16 of 2019.

23. In the result, both these Writ Petitions stand disposed of. No costs. Consequently, connected Writ Miscellaneous Petitions are also closed.

08.08.2025

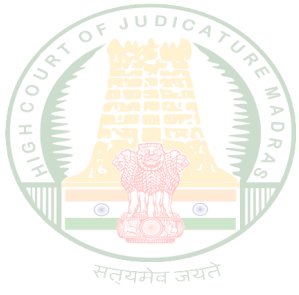
NCC : Yes/No
Index : Yes/No
Internet: Yes/No

RJR/JEN

To

1.The Joint Commissioner,
Hindu Religious and Charitable Endowment Board,
Madurai.

2.The Deputy Commissioner/Executive Officer,
Arulmighu Kallalagar Thirukkivil,
Alagar Kovil, Madurai District.



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C.SARAVANAN, J.

RJR

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