



W.P.(MD)No.23501 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
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DATED: 01.09.2025

CORAM:

THE HONOURABLE DR.JUSTICE ANITA SUMANTH  
AND  
THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

W.P.(MD)No.23501 of 2025  
and  
W.M.P(MD)Nos.18463 & 18465 of 2025

A.V.B.Prabhu ... Petitioner

/Vs./

1.The Secretary to Government,  
Religious Endowments Department,  
Government of Tamil Nadu,  
Secretariat,  
Chennai - 600 009.

2.The Commissioner,  
Hindu Religious and Charitable Endowments Department,  
119, Nungambakkam High Road,  
Chennai - 600 034.

3.The Executive Officer,  
Sri Kallazhagar Temple,  
Azhagarkoil,  
Madurai District.

... Respondents

PRAYER:- Writ Petition - filed under Article 226 of the Constitution of India, to issue  
a Writ of Certiorarified Mandamus, calling for the records pertaining to



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Na.Ka.No.3400/2023/A2 dated 11.10.2024 issued by the third respondent herein, the Regional Joint Commissioner of the Hindu Religious and Charitable Endowments Department, Madurai Region in respect of Civil Works pertaining to Sri Kallazhagar Temple, Azhagarkoil, Madurai District and quash the same as being in violation of Section 36 read with Section 66(1) and Section 86(2) of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959, the Management and Preservation of Properties of Religious Institutions Rules framed under the said 1959 Act, Section 11(1) and (3) of the Tamil Nadu Heritage Commission Act, 2012, the law laid down by a Full Bench of the Hon'ble Supreme Court of India in its order dated 12.03.2024 in SLP(c)No.9495 of 2022 and the dictum of an Hon'ble Division Bench of this Court laid down by its order dated 09.01.2025 in W.P.No.19084 of 2025 and further order restoration of the funds of temple utilized without any authority of law for the civil works in the said Temple.

For Petitioner : Mr.RM.Arun Swaminathan

For Respondents : Mr.J.Ashok (R1 & R2)

Additional Government Pleader

: Mr.A.K.Sriram (R3)

Senior Counsel

for Mr.S.Manokar

### ORDER

(Order of the Court was made by DR.ANITA SUMANTH, J.)

Mr.J.Ashok, learned Additional Government Pleader, accepts notice for the R1



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and R2. Sri Kallazhagar Temple, Azhagarkoil, Madurai District is represented by

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Mr.A.K.Sriram, learned Senior Counsel for Mr.S.Manohar, learned counsel.

2. Our attention is drawn to the order passed on 28.08.2025 by the Bench in WP(MD)No.22596 of 2025. In that writ petition as well, G.O.Ms.No.135, dated 08.03.2024, impugned before us, was challenged, to the extent of items of expenditure in serial numbers 4, 9, 10 and 11 of communication in Na.Ka.No.3400/2023/Aa2 dated 11.10.2024 that provides the break-up of the expenditure allotted. In the present writ petition, the challenge is with regard to items 7, 8, 13 and 14 of communication in Na.Ka.No.3400/2023/Aa2 dated 11.10.2024, relating to (i) construction / repair and rebuilding of compound wall, (ii) construction of Yatri Nivas, (iii) construction of residences for Archakars, and (iv) construction of Sewage Treatment Process plant (STP Plant).

3. Though learned Senior Counsel submits that the subject expenditures have been duly sanctioned, no feasibility report, justification or method of determining the quantum of the expenditure has been produced. This becomes necessitated on account of the submission that adequate accommodation for devotees and Archakars is already available and hence, the present constructions are superfluous.



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4. Learned counsel for the Temple will supply a copy of the map of the temple and surrounding area.

5. Counter by all the respondents by the next hearing with a copy served in advance on the petitioner. Status quo be maintained till then in respect of expenditure in items 7, 8, 13 and 14 of communication in Na.Ka.No.3400/2023/Aa2 dated 11.10.2024. The master plan for the ongoing renovation of the Temple with map, will be filed with a copy shared with the petitioner.

6. List on 15<sup>th</sup> September 2025 along with WP(MD)No.22596 of 2025.

sd/-  
01/09/2025

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/09/2025

Sub-Assistant Registrar (C.S.-I/ II /III/ IV)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

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To

1.The Secretary to Government,  
Religious Endowments Department,  
Government of Tamil Nadu,  
Secretariat, Chennai - 600 009.

2.The Commissioner,  
Hindu Religious and Charitable Endowments Department,  
119, Nungambakkam High Road, Chennai - 600 034.



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3.The Executive Officer,  
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ORDER  
IN  
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Date :01/09/2025

PS/SAR.08.09.2025 5P/4C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023