



W.P.(MD)Nos.23501 & 22596 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.11.2025

CORAM:

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

W.P.(MD)Nos.23501 & 22596 of 2025

and

W.M.P(MD)No.20782 of 2025

W.P.(MD)No.23501 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.



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4.V.R.Venkatachalam,
Chairman of Board of Trustees,
Sri Kallazhagar Temple,
Azhagarkoil,
Madurai District.

5.R.Pandiyarajan
Member of Board of Trustees,
Sri Kallazhagar Temple,
Azhagarkoil,
Madurai District.

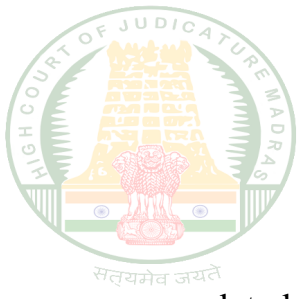
6.A.Senthilkumar,
Member of Board of Trustees,
Sri Kallazhagar Temple,
Azhagarkoil,
Madurai District.

7.P.Ravikumar,
Member of Board of Trustees,
Sri Kallazhagar Temple,
Azhagarkoil,
Madurai District.

8.Meenakshi Priyanth,
Member of Board of Trustees,
Sri Kallazhagar Temple,
Azhagarkoil,
Madurai District.

... Respondents

(Respondents 4 to 8 are suo motu impleaded vide order of this Court



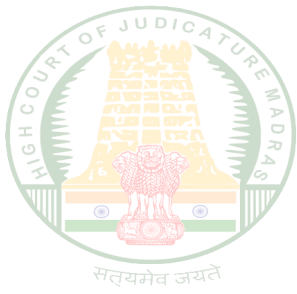
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dated 22.10.2025 in W.P.(MD)No.23501 of 2025)

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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 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 the Hon'ble Division Bench of this Court laid down in 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.M.R.Venkatesan



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& Mr.RM.Arun Swaminathan
For Respondents : Mr.Veerakathiravan (for R1 & R2)
Additional Advocate General
Assisted by
Mr.J.Ashok
Additional Government Pleader
: Mr.A.K.Sriram (R3)
Senior Counsel
Assisted by Mr.S.Manokar

W.P.(MD)No.22596 of 2025

Venkatesh Sowrirajan

... Petitioner

/Vs./

1.The State of Tamil Nadu,
Rep. by Additional Chief Secretary,
Department of Tourism,
Culture & Religious Endowments,
Secretariat, Fort St.George,
Chennai - 600 009.

2.The Commissioner,
Hindu Religious & Charitable Endowments
Department, 119, Uthamar Gandhi Road,
Nungambakkam,
Chennai - 600 034.

3.The Joint Commissioner,
Hindu Religious & Charitable Endowments

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Department, Ellis Nagar,
Madurai - 625 001.

4.The Executive Officer,
Sri Kallazhagar Temple,
Azhagarkoil,
Madurai - 625 301.

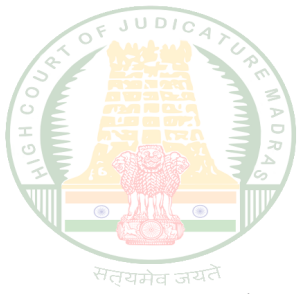
5.The Board of Trustees,
Sri Kallazhagar Temple,
Azhagarkoil,
Madurai - 625 301.

6.Rangarajan Narasimhan,
Arangan Thirumutram,
Kollidam Road,
400 meters west of Andavan Ashramam,
Srirangam, Trichy - 620 006.

... Respondents

(Respondent No.6 impleaded vide order of this Court dated 22.10.2025
in W.M.P.(MD)No.20782 of 2025 in W.P.(MD)No.22596 of 2025)

PRAYER:- Writ Petition - filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus calling for the records relating to G.O Ms.No.135, dated 08.03.2024, issued by the 1st Respondent and quash the same as arbitrary, illegal and ultra vires the provisions of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959 and consequently restrain the Respondents, their



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subordinates, agents, contractors or any other persons acting under their authority or instructions from proceeding with or in any manner carrying out any civil or commercial construction activities pursuant to G.O Ms.No. 135, dated 08.03.2025 using surplus temple funds within or in the immediate vicinity of the premises of Arulmighu Kallazhagar Temple, Madurai.

For Petitioner : Mr.S.G.Vadiraj Anirudh

For Respondents : Mr.Veerakathiravan (for R1 to R3)

Additional Advocate General

Assisted by

Mr.J.Ashok

Additional Government Pleader

: Mr.A.K.Sriram (R4 & R5)

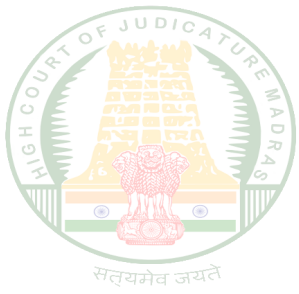
Senior Counsel

Assisted by Mr.S.Manokar

COMMON ORDER

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

Submissions of Mr.RM.Arun Swaminathan and Mr.S.G.Vadiraj Anirudh, learned counsel for the petitioners have been concluded on 25.10.2025 and those of Mr.A.K.Sriram, learned Senior counsel for the



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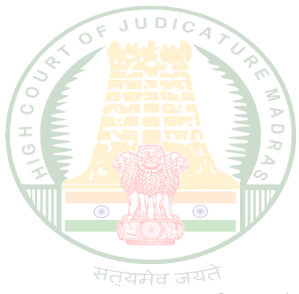
Temple, conclude today. List on **25.11.2025** immediately after admission, for the submissions of the State and response of the petitioners.

2. Based on the above elaborate hearing, the following directions are issued:

(i) Sri Kallazhagar Temple, Azhagarkoil, Madurai, ('Temple') is located upon a total extent of 92.78 acres of land, divided into two demarcated zones ie., (i) Iraniyan Kottai (inner ring) & (ii) Azhagapuri Kottai (outer ring). Parties are ad idem that Iraniyan Kottai is a protected heritage site as per the provisions of the Tamil Nadu Heritage Commission Act, 2012 ('Act').

Upon perusal of the photographs of several buildings facilities in both zones of the temple, we find several two and four-wheelers inside the Iraniyan Kottai. This is detrimental to the heritage site and the maintenance and upkeep thereof. We thus believe that Iraniyan Kottai must be made a vehicle free zone.

We are heartened that there is no resistance from the Temple or,

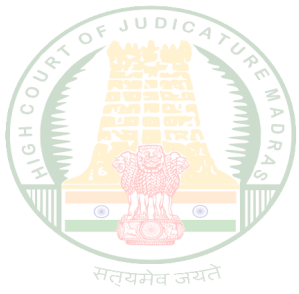


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for that matter, any of the respondents for this suggestion and hence direct that the Iraniyan Kottai be designated as a vehicle free zone, effective immediately.

The Temple presently runs two buggies and wheel chairs for the use of senior citizens / differently-abled visitors and those who are sick/infirm. The authorities may consider acquiring additional buggies and wheel chairs bearing in mind the convenience of the devotees. As a sequitur, necessary action be taken forthwith and compliance reported on the next hearing.

(ii) In the course of an exhaustive session viewing the photographs of the Temple precincts / infrastructure, the temple authorities have been fair to acquiesce to the position that there are some buildings located within impermissible limits of protected monuments, such as the building near the Nandanar Mandapam. They shall be removed forthwith and compliance reported. Likewise, the sheds and temporary structure apart from those erected to stone building material shall be removed.



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(iii) Temple is directed to produce all documents, including but not restricted to the Resolution of the Fit person / Trustee for undertaking the feasibility study in 2020, including the tender notification and agreement for award of work to Karvin Design Consultants.

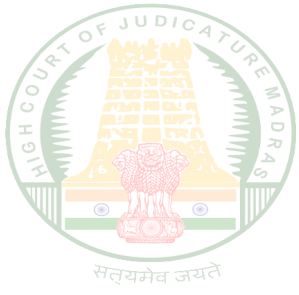
(iv) The Temple shall produce (a) Annual Budget presented to the Commissioner, (b) Income and Expenditure / Receipts and Payments Accounts, and (c) Balance Sheet of the Temple from 2020 onwards.

(v) State and Temple will produce Instructions / Guidance Note / Circulars issued by the Commissioner, HR&CE Department, providing guidelines on the manner by which expenditure be incurred by the Temple / authorities.

(vi) Temple will produce copy of the judgments, if any, relating to title to the 'Alagarmalai'.

3. The aforesaid details be exchanged inter se to parties atleast a day in days to enable proper preparation.

4. List on **25.11.2025** immediately after admission.



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[A.S.M.J.] & [C.K.J.]
18.11.2025

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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.

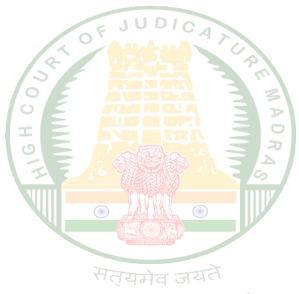
3.The Executive Officer,
Sri Kallazhagar Temple,
Azhagarkoil,
Madurai District.

4.V.R.Venkatachalam,
Chairman of Board of Trustees,
Sri Kallazhagar Temple,
Azhagarkoil,
Madurai District.

5.R.Pandiyarajan
Member of Board of Trustees,
Sri Kallazhagar Temple,
Azhagarkoil,
Madurai District.

6.A.Senthilkumar,
Member of Board of Trustees,

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Sri Kallazhagar Temple,
Azhagarkoil,
Madurai District.

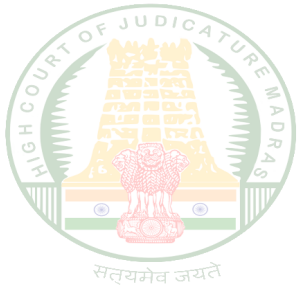
7.P.Ravikumar,
Member of Board of Trustees,
Sri Kallazhagar Temple,
Azhagarkoil,
Madurai District.

8.Meenakshi Priyanth,
Member of Board of Trustees,
Sri Kallazhagar Temple,
Azhagarkoil,
Madurai District.

9.Rangarajan Narasimhan,
Arangan Thirumutram,
Kollidam Road,
400 meters west of Andavan Ashramam,
Srirangam, Trichy - 620 006.

10.The Additional Chief Secretary,
Department of Tourism,
Culture & Religious Endowments,
Secretariat, Fort St.George,
Chennai - 600 009.

11.The Joint Commissioner,
Hindu Religious & Charitable Endowments
Department, Ellis Nagar,
Madurai - 625 001.



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DR.ANITA SUMANTH, J.
AND
C.KUMARAPPAN, J.

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Order made in
W.P.(MD)Nos.23501 & 22596 of 2025

Dated:
18.11.2025