

WEB COPY



W.A.No.1280 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.12.2025

C O R A M

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

W.A.No.1280 of 2023 and
C.M.P.No.12826 of 2023

Srirangam Srimath Andavan Ashramam
Melur Road,
Srinagam - 620 006
Rep. by its Authorized Signatory
Mr.D.Lakshmi Narasimhan.

... Appellant/Intervenor

-VS-

1. Thathadesikar Thiruvamsathar Sabha,
No.8-B, Sannithi Street, Little Kanchipuram,
Kancheepuram - 631 501.
Rep. by its Secretary Mr.T.K.Sampath Kumaran.

2. T.K.Sampath Kumaran

3. The Commissioner,
Hindu Religious and Charitable Endowments Board,
112, Uthamar Gandhi Salai, Nungambakkam,
Chennai-600 034.

4. The Joint Commissioner,
Hindu Religious and Charitable Endowments Board,
11/20, A.K.Thangavelar Street,
Kanchipuram-631 501.

5. The Executive Trustee,
Sri Devaraja Swamy Temple,
Kanchipuram-631 501. ... Respondents/Respondents/Respondents



W.A.No.1280 of 2023

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent to allow the above Appeal and set aside the order dated 28.02.2023 passed in W.P.No.5556 of 2023.

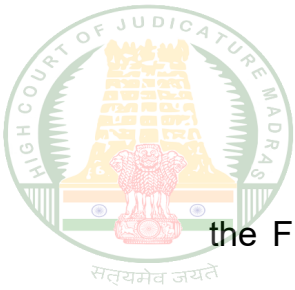
For Appellant : Mr.M.S.Krishnan, Senior Counsel
For Mr.Arun C.Mohan
For R1 and R2 : Mr.Niranjana Rajagopalan
For M/s.G.R.Associates
For R3 and R4 : Mr.NRR.Arun Natarajan
Spl. Govt. Pleader (HR&CE)
For R5 : Mr.R.Bharanidharan

J U D G M E N T

(By.S.M.SUBRAMANIAM,J.,)

The appellant is a third party in the writ proceedings instituted by the 1st respondent and by securing leave of this Court, the present intra Court appeal came to be instituted.

2. Mr.M.S.Krishnan, learned Senior Counsel appearing on behalf of the appellant would mainly contend that right from the year 1992 onwards, Head of the appellant Mutt is being conferred 'Pancha Mudhirai Mariyadhai' in Sri Devaraja Swamy Temple, Kanchipuram. The 1st respondent filed a Writ Petition, seeking the relief of forbearing the respondents therein from in any manner interfering with or altering or expanding the religious usages / customs of Sri Devaraja Swamy Temple, Kanchipuram in relation to the Special Honours accorded exclusively to



W.A.No.1280 of 2023

the Five Madathipathis specified in communication of the 3rd respondent dated 05.09.1991.

WEB COPY

3. The Writ Court, by recording the submission of the learned Advocate General, held that if the honour is extended to anybody, it is open to the petitioner or the five mutts, viz., (1) Kanchi Kamakoti Peetam - Sankara Mutt, Kanchipuram, (ii) Sri Ahobila Mutt, (iii) Sri Vanamalai Mutt, Nangunery, (iv) Sri Parakala Jeeyar Mutt, Mysore and (v) Sri Vyasarayar Mutt, Sosale (Udupi), who were originally recognized, to challenge the same in the manner known to law.

4. Relying on the said order, learned Senior Counsel for the appellant would submit that the practice of conferring the special honour to the Head of the appellant Mutt has been dispensed with. Thus, it necessitated the appellant to prefer the present appeal, as the appellant was not a party in the writ proceedings and therefore, the appellant could not be able to defend their case.

5. Learned Special Government Pleader (HR&CE) would submit that in terms of the communication dated 05.09.1991, as per the customs & usages of the temple for many years, honours are being

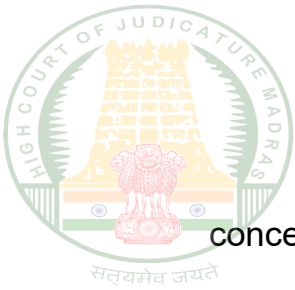


W.A.No.1280 of 2023

conferred only to five mutt heads, namely, (1) Kanchi Kamakoti Peetam - Sankara Mutt, Kanchipuram, (ii) Sri Ahobila Math, Srirangam (Ahobilam), (iii) Sri Vanamamalai Mutt, Nangunery, (iv) Sri Parakala Jeeyar Math, Mysore and (v) Sri Vyasarayar Mutt, Udupi, while they come for Mangalasasanam (Dharshan).

6. This Court is of the considered view that these kind of special honors can never be demanded, as it cannot be construed as an absolute right. The 1st honour is always to the deities in the Temple and honouring Heads of Mutts, though being followed as a practice, is an issue to be decided by the competent authority under the Act. It is not disputed by the HR&CE Department that the said honour has been conferred on the Head of appellant Mutt on five occasions after the year 1991. However, it is to be claimed as a right or not, to be determined by the competent authority under the Tamil Nadu Hindu Religious and Charitable Endowments (HR&CE) Act, 1959, more specifically under Section 63(e) of the said Act.

7. Therefore, the appellant is at liberty to approach the competent authority / Joint Commissioner, HR&CE under Section 63 (e) of the Act, if any grievance exists to them. As far as writ order impugned is



W.A.No.1280 of 2023

concerned, this Court does not find any infirmity, since there was no discussion about the right to provide honour to the Head of the appellant Mutt. That apart, the writ petition was closed based on the submission made by the learned Advocate General.

With the above observation, the Writ Appeal stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

(S.M.S,J.,) (C.K,J.,)
15.12.2025

Index: Yes
Internet: Yes / No
ar

To:

1. The Commissioner,
Hindu Religious and Charitable Endowments Board,
112, Uthamar Gandhi Salai, Nungambakkam,
Chennai-600 034.
2. The Joint Commissioner,
Hindu Religious and Charitable Endowments Board,
11/20, A.K.Thangavelar Street,
Kanchipuram-631 501.
3. The Executive Trustee,
Sri Devaraja Swamy Temple,
Kanchipuram-631 501.



WEB COPY



W.A.No.1280 of 2023

S.M.SUBRAMANIAM, J.
AND
C.KUMARAPPAN, J.
ar

W.A.No.1280 of 2023

15.12.2025