ITEM NO.60 + 63 COURT NO.11 SECTION X

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Writ Petition(s)(Civil) No(s). 1280/2025

HINDU DHARMA PARISHAD Petitioner(s)

VERSUS

THE UNION OF INDIA & ORS. Respondent(s)

IA No. 365830/2026 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 351006/2026 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 361907/2026 - CLARIFICATION/DIRECTION
IA No. 189491/2026 - INTERVENTION APPLICATION
IA No. 36993/2026 - INTERVENTION/IMPLEADMENT
IA No. 365827/2026 - INTERVENTION/IMPLEADMENT
IA No. 361905/2026 - INTERVENTION/IMPLEADMENT
IA No. 351192/2026 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

WITH
C.A. No. 14686-14705/2026 (XII-B)
FOR APPROPRIATE ORDERS/DIRECTIONS ON IA 364461/2026
IA No. 364461/2026 - APPROPRIATE ORDERS/DIRECTIONS

C.A. No. 14706-14711/2026 (XII-B)
IA No. 94735/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT
IA No. 94736/2026 - EXEMPTION FROM FILING O.T.

C.A. No. 14712/2026 (XII-B)
IA No. 198090/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT
IA No. 198091/2026 - EXEMPTION FROM FILING O.T.

Diary No(s). 74408/2026 (XII-B)
FOR EXEMPTION FROM FILING O.T. ON IA 366244/2026
IA No. 366244/2026 - EXEMPTION FROM FILING O.T.

Signature Not Verified
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Date: 2026.11.28 14:14:13 IST
Reason:

Diary No(s). 74415/2026 (XII-B)

Diary No(s). 74121/2026 (XII-B)

Diary No(s). 70213/2026
IA No. 352581/2026 - CONDONATION OF DELAY IN FILING
IA No. 352582/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT
IA No. 352583/2026 - EXEMPTION FROM FILING O.T.

Diary No(s). 69967/2026 (XII)
FOR CONDONATION OF DELAY IN FILING ON IA 353206/2026
FOR EXEMPTION FROM FILING O.T. ON IA 353207/2026
FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 353209/2026
FOR PERMISSION TO FILE LENGTHY LIST OF DATES ON IA 353210/2026
IA No. 353206/2026 - CONDONATION OF DELAY IN FILING
IA No. 353209/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT
IA No. 353207/2026 - EXEMPTION FROM FILING O.T.
IA No. 353210/2026 - PERMISSION TO FILE LENGTHY LIST OF DATES

Date : 27-11-2026 These matters were called on for hearing today.

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HON'BLE MR. JUSTICE VIPUL M. PANCHOLI

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Ms. Madhumitha Al, Adv.

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Mr. Bhaskar Gowtham, Adv.
Mr. Amit Sharma, Adv.
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Mr. Vishesh Goyal, Adv.
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Mr. Rang Mukherjee, Sr. Adv.
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UPON hearing the counsel the Court made the following

O R D E R

1. IA No. 189491/2026, IA No. 36993/2026, IA No. 365827/2026, IA No. 361905/2026 for intervention and IA No. 351192/2026 for filing of additional documents are hereby allowed.

2. We have heard the Learned Senior Counsels appearing for the parties. As it is at the stage of considering applications for contempt filed for direction, initiation of contempt for alleged wilful disobedience of the order dated 20.11.2026, we do not propose to dwell upon the lengthy and elaborate arguments and submissions made on behalf of the parties.

3. Suffice to state that Learned Senior Counsels appearing for the Petitioners Shri. Guru Krishna Kumar, Shri. J. Sai Deepak, Shri. P. Valliappan and Shri Sri Ram have contended as follows:

3.1 That there is flagrant disobedience of the order of this Court dated: 20.11.2026.

3.2 That the State Authorities in connivance with their high political bosses have planned to avoid the compliance of the order passed by this Court.

3.3 The Executive Authorities have failed to comply with the directions and therefore the administration of the Devasthanam which is headed by the Trustees have to be superseded.

3.4 The Deepam that had to be lit at Deepathoon on 24.11.2026, could not be lit on account of design of the alleged contemnors, therefore, this Court may direct the lighting of the lamp at Deepathoon in the Karthiga Month of Tamil Calander.

4. Shri. Tushar Mehta, the Learned Solicitor General appearing for the Archaeological Survey of India, in support of the abovesaid submissions reiterating the same has also contended that the administration of the Temple has to be carried out by a neutral person to be appointed by this Court and in place of the local police, any other central agency, may be directed to administer the security particularly in the teeth of ASI official being prevented from entering the place of Deepathoon.

5. *Per Contra*, the Respondents through the learned Senior Counsels, Shri Gopal

Sankarnrayanan, Shri Sidharth Luthra, Shri Jaideep Gupta, Shri Abhishek Manu Singhvi and Shri Prshanto Chandra Sen ably assisted by Learned Counsel Shri B. Karunakaran, Standing Counsel for the State have submitted as under:

5.1 Shri Gopal Sankarnrayanan, Learned Senior Counsel, on behalf of the Collector submitted that, the Collector has complied with the order and to evidence this fact the preliminary report filed may be looked into and before passing any orders this Court may await the final report which will be filed by the Collector during the course of the day as three days' time granted by this Court to file such report would expire today. He would also submit that Collector had taken all steps to comply with the Court order and has drawn the attention of this Court to the list of dates regarding compliance. He would contend that the undertaking given before the High Court was regarding compliance of the order of this Court and not an undertaking that the lamp would be lit at Deepathoon.

5.2 Shri. Sidharth Luthra, Learned Senior Counsel appearing for the Commissioner of Police, Madurai submits that Commissioner has taken all steps and 5797 police personnel were deployed from different streams of the police like local police, armed reserved police, Tamil Nadu Special Police and Home Guards and there is no infraction of the order of this Court.

5.3 Shri. Jaideep Gupta, Learned Senior Counsel appearing for the Executive Officer of the Temple submits that the meeting of the Devasthanam was convened by the Chairman for and on behalf of the Board of Trustees and when a decision is taken by the said executive officers regarding religious matters, the Executive Officer has no power

to overrule the same except to implement it and as such there is no wilful disobedience of the order passed by this Court.

5.4 Shri. Abhishek Manu Sighvi, Learned Senior Counsel appearing for the Commissioner of the Hindu Religious and Charitable Endowments (**HR & CE in short**) has contended that this Court while passing the Order on 20.11.2026, has very carefully and on a calibrated approach has passed the Order on equites and a reading of the Order particularly at Paragraph No.11 would clearly suggest that certain leeway was given to the Trustees of the Temple and based on the same the Trustees have taken a decision and there is no wilful disobedience of the Order of the Court.

6. Having heard the Learned Senior Counsels appearing for the parties, the first thing which comes to our mind is to express the word Alas! As it would be a relevant and an appropriate expression to be used in the present scenario. We say so for the myriad reasons assigned hereinafter and we say so with pain and anguish. Time has come to deal with such situations with iron hand as otherwise it may lead to Constitutional chaos. It is apposite to note the observations of this Court in ***T.N. Godavarman Thirumulpad v. Ashok Khot***[1]**,** which reads as under:

> **"3. In our democratic polity under the Constitution based on the concept of Rule of law' which we have adopted and given to ourselves and which serves as an aorta in the anatomy of our democratic system. THE LAW IS SUPREME.**
>
> **4. Everyone whether individually or collectively is unquestionably under the supremacy of law. Whoever he may be, however high he is, he is under the law. No matter how powerful he is and how rich he may be.**

1 **(2006) 5 SCC 1**

> **5. Disobedience of this Court's order strikes at the very root of the rule of law on which the judicial system rests. The rule of law is the foundation of a democratic society. Judiciary is the guardian of the rule of law. Hence, it is not only the third pillar but also the central pillar of the democratic State. If the judiciary is to perform its duties and functions effectively and remain true to the spirit with which they are sacredly entrusted to it, the dignity and authority of the Courts have to be respected and protected at all costs. Otherwise, the very cornerstone of our constitutional scheme will give way and with it will disappear the rule of law and the civilized life in the society. That is why it is imperative and invariable that Court's orders are to be followed and complied with."**

7. The concept of rule of law is supreme in a democratic society. The preamble of the Constitution of India reflects the contours whereunder the people of India i.e. Bharat have solemnly resolved to secure to all its citizens Justice, Liberty, Equality and Fraternity.

8. Article 144 of the Constitution mandates that all authorities, civil and judicial, in the territory of India shall act in aid of the Supreme Court. Any attempt, direct or indirect, to undermine this constitutional mandate, should be firmly curbed, without any misplaced sympathy. Any attempt to pollute the stream of justice, by any person howsoever high he maybe, would not be tolerated, is the message which we intend to convey by this Order. An order of this Court is not an invitation to negotiate. It binds the State, its officers and every statutory or religious institution functioning under the State's laws, until this Court itself modifies it. Therefore, when an order of this Court is flouted, we cannot sit in silos. This Court being a Court of Record under Article 129 of the Constitution holds sufficient power to bring to Justice when infraction of the majesty of law occurs. For such cases, the

Contempt of Courts Act, 1971 is engrafted by the legislature to instill confidence in the people of this Country by imbibing a promise that the administration of Justice will not bow down to any authority whatsoever. The Act is a powerful arsenal in the hands of the Constitutional Courts and it would not shy away to utilize it where the administration of justice is the necessity of the hour.

9. The present litigation, has a checkered history and undisputedly there is a decree that has been passed in O.S.No.04 of 1920 and confirmed by the Privy Council vide judgment dated 12.05.1931. Yet several litigations have cropped up and the jurisdictional High Court has passed the impugned order dated 06.01.2026, which is subject matter of this litigation. This Court having heard the parties at length and after bestowing careful and anxious consideration to the rival contentions raised at the Bar passed an order on 20.11.2026 whereunder this Court not only stayed the observations made under the Impugned Order (06.01.2026) at para 1-141 and simultaneously directed the lighting of the lamp atop the hill at the place referred to by both the parties as ***"Deepathoon",*** the relevant portion of the order is extracted herein below:

> "**13.** Notwithstanding the above the order of the stay of findings passed hereinabove, we deem it appropriate to mould the interim relief in the peculiar facts and circumstances of the present case. Hence, we consider it appropriate to permit the lighting of the ceremonial lamp on 24.11.2026 at the stone pillar identified as Deepathoon in Annexure-B to the judgment dated 06.01.2026, through a restricted team authorised by the Devasthanam, subject to the safeguards indicated hereinafter. This permission is granted as a measure of temporary arrangement and not in recognition or enforcement of any asserted customary, religious or proprietary right.
>
> **14.** The following arrangements shall govern the aforesaid ceremony:

(i) The lighting of the lamp shall be undertaken exclusively by a team of persons authorised by the Devasthanam. The composition and number of such persons shall be settled by the District Collector, Madurai, in consultation with the Temple Executive Officer, the Archaeological Survey of India and the Commissioner of Police, Madurai.

(ii) The District Collector, Madurai, shall act as the nodal officer for coordination and supervision of the arrangements. The Commissioner of Police, Madurai, shall ensure adequate police protection and regulation of access. The Union of India, through the competent authority, shall examine and facilitate the deployment of an appropriate contingent of the Central Reserve Police Force (CRPF) if required and if sought for by the State for the purposes of operational feasibility and to supplement the local police requirements for the limited purpose of ensuring the peaceful conduct of the ceremony.

(iii) No member of the general public shall accompany the authorised team to the Deepathoon. No procession, public congregation, demonstration, slogan-raising or activity extraneous to the ceremonial lighting of the lamp shall be permitted at the site. Access to the ‘Deepathoon’ shall remain confined to the authorised persons and such officials as may be necessary for supervision and security.

(iv) The District Administration, in consultation with the concerned authorities, shall settle the timing, route of access, duration and other incidental arrangements, keeping in view the requirements of public safety, fire prevention, archaeological protection and maintenance of peace. The authorised team shall leave the site immediately upon completion of the ceremony, without leaving behind any temporary article or installation.

(v) The Archaeological Survey of India shall prescribe appropriate conditions for the protection and preservation of the monument and its surroundings. The ceremony shall be undertaken strictly in accordance with the applicable statutory requirements. No excavation, construction, structural alteration, permanent installation or damage to any monument, religious structure or property shall be permitted.

> **(vi)** The existing religious observances at the customary locations shall continue undisturbed. Equally, the lawful religious activities, access and enjoyment of the Dargah and other institutions shall not be interfered with in any manner. The present arrangement shall not confer upon any person an additional right of entry, occupation or control over any portion of the hill.

15. We make it abundantly clear that the present arrangement does not proceed upon any finding that the stone pillar is, or has historically been, a place of customary religious observance. Nor does it determine whether the lighting of the lamp at the said location constitutes an essential religious practice or whether any individual, religious denomination or institution possesses an enforceable right in that regard. All questions concerning title, possession, customary usage, religious entitlement, temple administration and access to the site are expressly left open.

16. Neither the permission granted by this Court nor the performance of the ceremony pursuant thereto shall be relied upon by any party as evidence of an established custom, precedent of religious usage, possessory right, entitlement to access or alteration of the existing legal position till adjudication of these appeals. The present arrangement shall not furnish an independent basis for claiming similar permission in any subsequent year. No adverse inference shall be drawn against any party merely by reason of its compliance with this order.

17. We further clarify that the directions issued herein are founded upon an indications contained in the impugned judgments, which shall remain subject to final adjudication. The arrangement is confined to the forthcoming festival i.e., on 24.11.2026 and shall not be treated as governing the rights of the parties or the manner of observance in subsequent years.

18. The District Collector, the Commissioner of Police, the Archaeological Survey of India and all the concerned authorities shall ensure close coordination in implementing these directions. The authorities shall make all arrangements and endeavour for ensuring the peaceful conduct of the ceremony.

19. We expect all concerned to extend their fullest cooperation to the authorities and to act with the restraint and responsibility which the occasion demands. The observance of religious festivals in a society

> governed by the Constitution must remain consistent with mutual respect, public order and the rule of law. The limited accommodation made today is not a determination of the dispute; it is an arrangement made precisely because the dispute remains to be determined.
>
> **20.** The District Collector, Madurai, shall submit a brief report regarding compliance with the aforesaid directions within three days after the festival."

10. On 24.11.2026, devotees of the Temple filed Writ Petitions before the High Court of Madras, Madurai Bench, challenging the prohibitory orders passed by the District Magistrate under Section 163 of the Bharatiya Nagarik Suraksha Sanhita, 2023, and seeking a writ of mandamus to permit them to witness the lighting of the Deepam at Deepathoon. In those proceedings, Learned Senior Counsel appearing for the District Collector, Madurai, had also submitted on instructions before the High Court that the order of this Court dated 20th November 2026 would be complied with.

11. Despite the express direction of this Court and the solemn undertaking given to the High Court, the State and its instrumentalities are alleged to have acted pursuant to an alleged clandestine understanding and in collusion with the administrators of the Devasthanam to ensure that the Deepam at *"Deepathoon"* is not lit. The conduct alleged, as borne out by the record, would prima facie disclose a brazen and wilful disobedience of this Court's order, a flagrant disregard of the undertaking given before the High Court, and a calculated affront to the authority of both the Constitutional Courts. This would ***prima facie*** indicate that:

I. The conduct of the officers entrusted with the administration, *prima facie* reveals a state of utter administrative chaos in the State of Tamil Nadu or at least in Madurai District.

II. The Devasthanam Board has sought to overreach the orders of this Court by placing a strained construction on this Court's orders and has been wilfully obstructing its implementation. The Board is said to have passed a resolution as per the preliminary report. The relevant portion of the preliminary report regarding the Resolution is as follows:

> "At about 8.30 PM, the Executive Officer gave the report Rc. No. 810/2026 dated 24.11.2026, stating that the Board of Trustees, by Resolution No. 1 dated 24.11.2026, had resolved to light the lamp this year also at the place where it is customarily lit, and to bring the Temple's customs to the notice of the Court; that, pursuant to that resolution, the Mahadeepam was lit at about 6.00 PM at the Deepa Mandapam near the Uchippillaiyar Temple on the Hill; and that the lamp was not lit at the Deepathoon. As the order permits the lighting at the Deepathoon only by persons authorised by the Devasthanam, and the District Administration has no power to authorise anyone in their place. The position was reported to the nodal counsel at 8.21 PM.
>
> The resolution mentioned that
>
> > "(a) that Arulmigu Subramaniaswamy Temple, Thiruparankundram is one of the ancient places of worship of the Tamils, and that its festivals, poojas, rituals and the Karthigai Deepam festival are conducted on the basis of religious traditions, customs and Agama rules followed for generations;
> >
> > (b) that, as per the practice followed from time immemorial, the Karthigai Mahadeepam is lit at the Deepa Mandapam near the Uchippillaiyar Temple on the Hill, directly above the head of the Moolavar, and that such age-old practices, customs, rituals and Agama rules are the unique religious identity of the Temple;
> >
> > (c) that the Board of Trustees had unanimously resolved that these traditions are to be protected; that, on the basis of documents of historical continuity, Agamic

> evidence and the opinions of the Sthan ikars, the lamp be lit this year also at the place where it is customarily lit; and that the traditions and customs of the Temple be thereafter brought to the notice of the Court; and
> (d) that, as per the said resolution, the Thirukarthigai Mahadeepam was lit at about 6.00 PM on 24.11.2026 at the Deepa Mandapam near the Uchipillaiyar Temple on the Hill."

The said resolution is handed over to the Court today and which is purportedly signed by the Chairman of the Trustees of the Temple and it is said to have been passed barely a few hours before the Deepam was to be lit. By that resolution, the Board is said to have declined to authorise a team to light the Deepam at Deepathoon, as directed by this Court and the Collector is attempting to take umbrage under this resolution. Resolution also invokes historical continuity, Agamic rules, religious documents and the purported opinions of the *sthanikars* (hereditary temple officials, which is seriously disputed) as the basis on which the Board resolved that Karthigai Mahadeepam would be lit only at its customary location, as was being lit in the previous years namely the Deepa Mandapam near the Uchipillaiyar Temple, and it is further stated in the resolution *"that these traditions and customs of the temple be thereafter brought to the notice of the Court."* In other words, the Trustees have categorically taken a stand they would not implement the Orders of this Court. This is a serious infraction on their part and their acts are also aided by other officials.

III. The resolution, on its face, ***Firstly***, discloses wilful and flagrant disobedience of the interim order of this Court. ***Secondly***, it evinces a

deliberate attempt to undermine the authority of this Court and a brazen disregard of the undertaking solemnly given before the High Court. ***Thirdly***, what shocks the conscience of this Court is the Board's statement *"that these traditions should be brought to the Court's notice."* Knowing fully well that Court in fact had heard both sides at length on the temple traditions before passing the interim order on 20.11.2026. The statement thus carries the unwarranted insinuation that this Court had failed to apprehend the very traditions canvassed before it. It is apt and appropriate to note, at this juncture, the Board has never appeared before this Court or contested the matter by challenging the order dated 06.01.2026. Read in the context of the Board's refusal to give effect to the interim order, the statement *prima facie* compounds the affront to the authority of this Court.

IV. When this Court speaks through an order, it speaks with the authority of the Constitution. Its orders command, obedience, and Article 144 expressly enjoins all authorities, civil and judicial, in the territory of India i.e., Bharat, to act in aid of this Court. An executive authority that presumes to decide whether an order of this Court deserves to be obeyed arrogates to itself a power the Constitution has never conferred upon it. Wilful defiance by officers charged with carrying the orders of this Court into effect is itself a flagrant breach of constitutional duty. It obstructs the administration of justice and strikes at the very root of the rule of law. The affront is all the graver when it comes from the very authorities whom the Constitution commands to act in aid of this Court.

The willful non-compliance of the order of the Court specially by the Executive authorities cannot go unnoticed and it has to be dealt with iron hands.

V. The failure to light the lamp at Deepathoon as directed by this Court vide Order dated 20.11.2026, viewed in conjunction with the adoption of a resolution contrary to the express direction of this Court and the invocation of temple tradition to justify the course or its stand, *prima facie* discloses wilful and flagrant disobedience of this Court's order. We are satisfied that a *prima facie* case is made out against the District Collector, Madurai (Chennai), the Deputy Commissioner of the HR&CE Department, who also serves as the Executive Officer of the Temple, the Board of Trustees, and the other authorities whose role in the disobedience and in aid of it is borne out by the record.

12. The chain of events that has unfolded in the instant case would indicate that the executive authorities seems to have acted at the dictates of their political bosses. The same has to be unearthed in order to not only save the dignity of this Court but also to maintain purity in the stream of administration of justice. Hence, we hereby direct the Chief Secretary of the State of Tamil Nadu to file an affidavit specifying the details including the emails, telephone calls, if any made, messages if any forwarded and exchanged between the officials with Call Detail Records preceding the lighting of Deepam and shall appear in person before this Court. This direction is in addition to the further directions which are also being issued hereinafter.

13. Pursuant to our directions in the above order, the District Collector, Madurai, has filed a preliminary report dated 25.11.2026 (*referred to supra*), stating that the order could not be complied with because of the temple administrators did not appoint anyone to light the lamp at Deepathoon, as directed by this Court. He has also tendered a formal apology, stating that he took all steps to comply with the orders of this Court and has attempted to shift the blame for non-compliance entirely on the temple administration. We are surprised that the Collector, who is a District Magistrate has taken such stand. His powers are wide enough and hands are quite long which can be used for implementation of the Order of this Court. Through the preliminary report an apology have been placed on record, we are not satisfied with the preliminary report at this stage, as we are yet to examine whether the detail of account set out therein reflects what actually transpired on that day. In fact, Mr. Gopal Sankarnrayanan, learned Senior Counsel appearing for the Collector has at the beginning of the arguments had stated that a comprehensive report would be filed and it would be appropriate to await the same. However, it would suffice to state that the stand of the Collector reminds us of the saying *"You play dead, and I'll pretend to grieve."* This report *prima facie* is nothing but shedding crocodile tears and preliminary report is taken on record for statistical purposes only.

14. We are *prima facie* satisfied that the order of this Court dated 20.11.2026 has been wilfully disobeyed, despite the undertaking given before the High Court that the order would be complied with in letter and spirit. Hence, let notice be issued by all permissible modes to the following persons:

i. Dr. M. Sai Kumar, IAS, Chief Secretary, State of Tamil Nadu (for limited purpose stated supra.)

ii. Dr. Mahesh Kumar Aggarwal, IPS, Director General of Police and Head of Police Force, Government of Tamil Nadu.

iii. Mr. V. Rajaraman, I.A.S, Secretary to Government (Full Additional Charge) for the Hindu Religious and Charitable Endowments (HR&CE) Department, State of Tamil Nadu.

iv. Dr. T.G. Vinay, I.A.S., Commissioner, Hindu Religious and Charitable Endowments Department, Chennai.

v. Mr. Nishant Krishna, I.A.S., District Collector and District Magistrate, Madurai District.

vi. Mr. S. Rajendiran, I.P.S., Commissioner of Police, Madurai.

vii. Mr. Inigo Vijayan, Deputy Commissioner of Police, Madurai.

viii. Mr. N. Devanathan, Superintendent of Police, Madurai.

ix. Mr. R. Pon Swaminathan, The Joint Commissioner, Hindu Religious and Charitable Endowments Department, Madurai.

x. Mrs. G. Selvi, Deputy Commissioner/Executive Officer, Arulmigu Subramania Swamy Temple, Thirupparankundram, Madurai.

xi. Mr. V. Shanmugasundaram, The Chairman, Board of Trustees,

Arulmigu Subramania Swamy Temple, Thirupparankundram, Madurai.

xii. Mr. C. Rajapandian, Trustee, Arulmigu Subramania Swamy Temple, Thirupparankundram, Madurai.

xiii. Mr. K. Azhagappan, Trustee, Arulmigu Subramania Swamy Temple, Thirupparankundram, Madurai.

xiv. Ms. K. Regina Devi, Trustee, Arulmigu Subramania Swamy Temple, Thirupparankundram, Madurai.

xv. Ms. K. Chitra, Trustee, Arulmigu Subramania Swamy Temple, Thirupparankundram

by calling upon them to show cause why contempt proceedings should not be initiated against them (ii to xv) for wilful disobedience of the order dated 20.11.2026.

15. The Secretary, Home Department, Government of Tamil Nadu, shall ensure that the notices are served personally, on the aforesaid persons, within five days from the date of this order and shall file a personal affidavit before this Court confirming the service of notice, failing to do so, he/she shall appear in person before this Court.

16. The Registry of this Court shall forthwith forward copies of the order dated 20.11.2026 and the present order to the Chief Secretary, Government of

Tamil Nadu, to apprise the Chief Secretary of the apparent disregard, on the part of the officers concerned, of their constitutional duty to act in aid of this Court.

17. The affidavit in reply of the aforementioned persons shall be filed forthwith and at any rate, within an outer limit of 10 days from the date of service of notice.

18. All the aforesaid persons shall appear in person before this Court on the next date of hearing, i.e., on 15.12.2026 at 2:00 PM.

19. The protection of public institutions such as the temple in the present case ordinarily falls within the duties of the Commissioner or any other person authorized under the applicable State legislation. This Court has, however, intervened where the authorities entrusted with the administration of a public institutions have failed to discharge their duties. Such intervention is a measure of last resort, intended to safeguard the institution and ensure that its administration respects its traditions, rituals and sanctity. At this stage, we are satisfied that there has been a complete failure on the part of the Board of Trustees to administer the Devasthanam. Hence, we suspend the functioning of the Board of Trustees and supersede it for the time being. For the purposes of maintaining, running the administration of the Temple, we hereby appoint Justice S. Vaidyanathan, Former Chief Justice, High Court of Meghalaya, N-14th floor, 4th flat, Taisha – 2, TNHB Complex, West Natesan Nagar, Virugambakkam, Chennai – 600092. and Justice V. Parthiban, Former Judge, High Court of Madras, N-14th floor, 6th flat,

Taisha – 2, TNHB complex, w West Natesan Nagar, Virugambakkam, Chennai – 600092 as Joint-Receivers who shall take immediate charge of the administration of the temple from the Board of Trustees. Charge shall be handed over forthwith, preferably today. The Receivers shall administer the temple in keeping with its traditions and rituals, preserve its sanctity, and comply with the applicable Act, rules and regulations. They shall be at liberty to apply to this Court for clarification or further directions, if need be. The State Government shall extend all logistical and administrative support to the Court Receivers.

20. Since the police administration has failed to implement the orders of this court, we direct the Commandant, Central Reserve Police Force (CRPF), Chennai, to forthwith takeover the security of the temple and the entire Hill and ensure peaceful running of the temple and Dargah and other rituals carried out hitherto, by the respective devotees. The DGP and IGP, Government of Tamil Nadu, Commissioner of Police, SP of Police, Madurai, shall ensure smooth transition of handing over security arrangements as ordered hereinabove to the Commandant of CRPF. The CRPF shall maintain peace and ensure that devotees at both places of worship are able to perform their respective religious rituals without any obstruction whatsoever. The security for the area surrounding the hill shall be provided by the Department of Police, Madurai, Tamil Nadu. No devotee of Dargah or Temple be prevented from access to the place of worship.

21. The failure of the Executive authorities to implement the order of this Court has resulted in the Deepam not being lit at Deepathoon on 24.11.2026, the

auspicious day in the Tamil month of Karthigai when the Krittika (Karthigai) nakshatra coincided with Pournami (the full moon). That occasion has passed. The applicants in these proceedings have submitted that the Deepam should nevertheless be lit during the month of Karthigai itself. We find force in the said contention, as such having regard to the significance of the festival and of the day on which the Deepam was originally directed to be lit, we direct the Receivers to ensure lighting of Karthigai Deepam at Deepathoon tomorrow, i.e., on 28.11.2026 at such time as it may be fixed in consultation with the *sthanikars,* using the flame lit at the Uchipillaiyar Mandapam on 24.11.2026 provided that the flame is still burning or in such other manner as may be decided. At this stage, Learned Senior Counsel Shri. Guru Krishan Kumar informed this Court that the said flame lit at the Uchipillaiyar Mandapam on 24.11.2026 has extinguished. If it were to be so, the Receivers shall take appropriate steps to light the flame at Deepathoon afresh as ordered on 20.11.2026.

22. In view of the non-implementation of the order and the authorities not even attempting to purge in the contempt, we deem it proper to vacate the stay of the Impugned Judgement granted on 20.11.2026 and we direct the receivers to permit every devotee to light lamp on the Thirupakundaram Hill on such terms and conditions and at such designated places keeping in mind the security aspects. However, in order to protect another religious institution, which is present at top of the of the hill, we direct that the lamp which would be lit by a devote if permitted or the temple administration should be at Deepathoon and such other designated place which shall be at a distance of

50 meters away from the Dargah from all sides circumference wise. The CRPF is at liberty to take all necessary steps as permissible in order to protect the Dargah and they shall ensure that the persons/devotees visiting the Dargah are in no way hindered or prevented from offering their prayers at Dargah/Mosque as being carried out.

23. Re-list on 15.12.2026.

24. It is also reiterated that the safeguard which have been provided under paragraph no.14 of the order dated 20.11.2026 shall continue to operate and all the concerned shall ensure its implementation in letter and spirit or by any other arrangements, subject to the directions issued under this order.

25. It is also made clear that this Order would not create any equites in favour of either of the parties.

26. IA No. 365830/2026, IA No. 351006/2026 and IA No. 361907/2026 for directions are hereby disposed of.

(RASHI GUPTA)
AR-CUM-PS

(AVGV RAMU)
COURT MASTER (NSH)