Writ Petition No.30409 of 2025**IN THE HIGH COURT OF JUDICATURE AT MADRAS****DATED: 12.08.2025**

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CORAM**THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH****Writ Petition No.30409 of 2025****and****W.M.P.Nos.34091 and 34094 of 2025**

L.Ravi
S/o.Lakshminarashiman

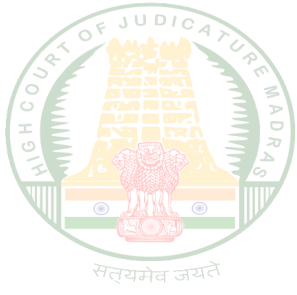
Petitioner

Vs

The Executive Officer/
Assistant Commissioner,
Arulmigu Devarajaswamy Thirukovil,
Little Kancheepuram.

Respondent

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorarified Mandamus, to call for the records leading to the impugned auction notice in Na.Ka.No.136/1432 dated 31.07.2025 (affixed in the temple notice board on 07.08.2025) and quash the same and consequently, direct the respondent to conduct the auction regarding the right to run Prasadha Kadai (Pathu Kadai) in Arulmigu Devarajaswamy Temple, Kanchipuram, as per the conditions contained in the auction notice in Na.Ka.No.136/1432 dated 03.06.2025 and 04.07.2025 without altering the clause No.18 in those auction notices in any manner.



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For Petitioner : Mr.T.V.Ramanujam, Senior Counsel
for Ms.R.Ramya

For Respondent : Mr.N.R.R.Arun Natarajan
Special Government Pleader

ORDER

This writ petition has been filed challenging the impugned auction notice dated 31.07.2025 and for a consequential direction to the respondent to conduct auction for running the prasadha kadai in Arulmighu Devarajaswamy Thirukovil, Kancheepuram, as per the conditions contained in the auction notices dated 03.06.2025 and 04.07.2025 without altering clause 18 in those auction notices.

2. The petitioner claims to be an ardent devotee of Arulmighu Devarajaswamy Thirukovil, Kancheepuram. According to the petitioner, this temple contains a madapalli and prasadam for all the deities is prepared by the vaishnavite brahmins and it is distributed to all the devotees following the custom and usage. There is also a prasadha kadai inside the temple compound near the vahana mandapam and as per the customs and practice followed from the year 1953, the right to run the prasadha kadai is always given in favour of the vaishnavite brahmin. In fact, auction notices dated 03.06.2025 and 04.07.2025, which were



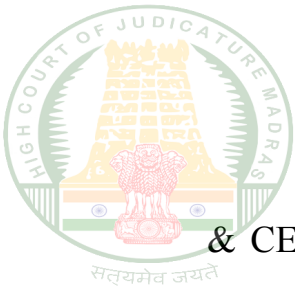
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issued earlier by the respondent specifically state that the person, who participates in the auction for the prasadha kadai must be a Hindu Vaishnavite Brahmin. However, all of a sudden, the impugned auction notice dated 31.07.2025 was issued by removing this condition and the present condition found at Clause 18 has been put to challenge in the present writ petition.

3. Learned Standing Counsel appearing on behalf of the respondent submitted that insofar as madapalli and the kitchen attached to the same for the purpose of preparing prasadam to the deities, the rituals and agamas are strictly followed. However, the present case involves a prasadha kadai where there is no such requirement that only a Hindu Vaishnavite Brahmin must participate in the auction. Learned counsel further submitted that the petitioner is not even a participant in the auction and the petitioner has only been set up by some other person, who was earlier running the shop. Hence, learned counsel contended that there are absolutely no merits in the writ petition.

4. Learned Special Government Pleader appearing for the HR



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& CE Department submitted that a similar condition was imposed in a

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tender notice pertaining to Srirangam Arulmigu Aranganathaswamy

Temple. The same was put to challenge in W.P.(MD) No.22772 of 2023

and this writ petition was dismissed by order dated 12.08.2024. Learned

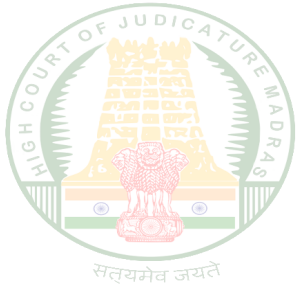
Special Government Pleader has placed specific reliance upon paragraph

No.19 of the order, which is extracted hereunder:

"19.Considering the grounds raised by the petitioner and considering the counter affidavit filed by the respondent, this Court does not find any merit in the petition and therefore this Court is not inclined to entertain this writ petition. Every temple has its unique customs and traditions which is to be recognised and respected by the temple administration. The term vaishnavite does not denote a particular community. All those worship Lord Perumal are Vaishnavite and it cannot be termed as a discrimination. Moreover the petitioner has not renewed his GST registration and therefore, he was not allowed to participate in the tender. The licence was also issued in favour of one VS.Ragavan and his period ended on 30.06.2024. Therefore, this writ petition is dismissed. No costs. Consequently connected miscellaneous petition is closed."

5. This Court has carefully considered the submission made on either side and the materials available on record.

6. The clause in the tender notice that has been put to challenge in the present writ petition is extracted hereunder:



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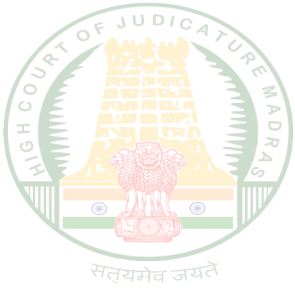
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"18.இத்திருக்கோயிலின் பிரசாதக்கடை விற்பனை உரிமம் பொறுத்தவரை, உரிமம் பெற விருப்பம் உள்ளவர்கள் திருக்கோயில் பழக்க வழக்கத்திற்கும் ஆகம விதிகளுக்கும், இதற்கு முன் வைணவ திருக்கோயிலில் பிரசாதங்கள் தயாரிப்பதில் 5 ஆண்டுகள் அனுபவம் பெற்றவராக இருக்க வேண்டும். நேரடியாக பிரசாத கடை நடத்த வேண்டும். பிரசாத விற்பனை உரிமையை வேறு எவருக்கும் மாற்றவோ பினாமி மூலம் நடத்தவோ உரிமை இல்லை."

7. The ground taken by the learned Senior Counsel appearing on behalf of the petitioner is that there was a specific condition imposed in the earlier notice to the effect that only a Hindu Vaishnavite Brahmin can participate in the tender for the prasadha kadai and whereas this vital condition has been removed in the impugned notice. In the impugned notice, it has been stated that the participant must comply with the ritual practices of the temple and also comply with the agamas and must have prepared prasadam in vaishnavite temple with five years experience. What is missing is the words "Hindu Vaishnavite Brahmin".

8. The question is as to whether such an insistence can be made by the petitioner for participating in the auction.

9. The only right that has been claimed by the petitioner is that this practice has been followed for a long time and therefore, it has to be continued.

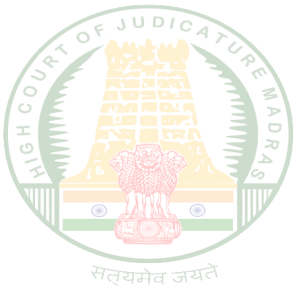


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10. In the considered view of this Court, even as per the auction notice, there is no compromise on the rituals followed, agama practices and also the fact that the concerned person must have experience in preparing prasadam in vaishnavite temple with a minimum of five years. The question is whether he has to necessarily be a Hindu Vaishnavite Brahmin.

11. At this juncture, it is relevant to take note of the order passed by the Madurai Bench in W.P.(MD) No.22772 of 2023 dated 12.08.2024, wherein the Hon'ble Mr.Justice B.Pugalendhi has dealt with this issue in detail and the relevant portions are extracted hereunder:

“9. A private individual has filed this writ petition challenging the conditions of tender in running a prasadam stall. Prasadam is an offering that each temple gives out as a blessing to the devotees and it is the divine food that everyone gets in temples. There are different types of Prasadams offered in different temples. Each temple has its own unique prasadam, depending on the deity worshipped in the temple. Prasadam is a material substance of food that is a religious offering. It is normally consumed by worshippers after worship. Prasadam can be termed as Sacrament and Blessed food. This is not just a food to eat but the physical presence of Gods blessing to the worshipper. The food offered is as per the deity's choice. It also depends on the region where the temple is. It is the food that we offer to the deity, who blesses it merely by coming in contact with the food. When offered it is called Naivaidayam and once offered it becomes the divine prasadam. Devotees flock to temples to



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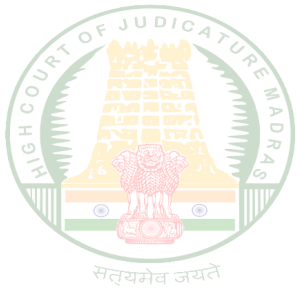
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pray and worship and partake of the temple prasadam, which is believed to be the fruit of their worship and considered highly sacred. Licenses are being issued to run the Prasadam Stalls in the name of the Temple. However the HR and CE Department is leasing out these prasadam stalls to private individuals. It is believed that the deity partakes of and then returns the offering, thereby consecrating it. Such offerings are distributed for the consumption to the worshippers. Such food offered to the deity and distributed in the name of the deity must have its quality and standard.

10. Whatever is offered in the Temple as Prasadam, must have its own unique quality and a speciality / tradition. The Laddu, which is offered as a Prasadam at Sri Venkateswara Temple in Tirupathi, is having its own quality and speciality and it has also been recognized with Geographical Identification tag. Similarly, the Prasadams like Palani Panjamirtham [which has also been recognized with GI tag] and Alagarkovil Dosa have their own speciality.

11. In a writ petition when it was verified with regard to the traditional Prasadam of the Aandal Temple, the Executive Officer has explained the importance of Akkara Adisal. The Executive Officer has also filed an affidavit before this Court that in future, they would provide Akkara Adisal, the traditional Prasadam of the Temple to the devotees who are visiting the Temple.

12. It is the duty of the Temple administration to ensure the quality of such Prasadams, which are provided in the Temple. The second respondent in this case while denying the averment of the petitioner that it is only a commercial activity, has stated that what is prepared and what is sold in the temple is prasadam. Prasadam means it is the blessings of the deity. While so it is not known why the Department is permitting the private individuals to sell this prasadam, who are treating the same as a commercial activity. Some of the Executive Officers, realising the importance of the Prasadams offered in the name of the temple, have made arrangements to produce the Prasadams on their own and supplying the same to the devotees with quality. However, most of the Temples are leasing it out to private individuals and it is not known as to how they are ensuring the quality of these



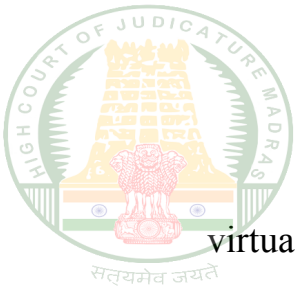
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Prasadams provided by private individuals, who are doing it as a commercial one.

13. It is also reported that the persons, who are running the Prasadam Stalls, are taking the lease for running the Prasadam Stalls every year. In fact, the petitioner himself has admitted that he is running the Prasadam Stalls in other Temples for the past ten years. While so it is not known as to how transparency is ensured in this process. One should not loose sight of the fact that Temple is not a place for commercial activities.

19. Considering the grounds raised by the petitioner and considering the counter affidavit filed by the respondent, this Court does not find any merit in the petition and therefore this Court is not inclined to entertain this writ petition. Every temple has its unique customs and traditions which is to be recognised and respected by the temple administration. The term vaishnavite does not denote a particular community. All those worship Lord Perumal are Vaishnavite and it cannot be termed as a discrimination. Moreover the petitioner has not renewed his GST registration and therefore, he was not allowed to participate in the tender. The licence was also issued in favour of one VS.Ragavan and his period ended on 30.06.2024. Therefore, this writ petition is dismissed. No costs. Consequently connected miscellaneous petition is closed."

12. I am in complete agreement with the above order passed by Hon'ble Mr.Justice B.Pugalendhi. The term "Vaishnavite" has a larger connotation and it should never be identified with reference to a particular community. As rightly held, all those, who worship Lord Perumal are Vaishnavites and there cannot be any discrimination based on community. Therefore, the insistence of the petitioner that only a Hindu Vaishnavite Brahmin should be permitted to participate in the auction



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virtually tantamounts to perpetuating caste system, which does not auger

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well for a true vaishnavite. As has been observed supra, there is going to

be no compromise to the ritual practices/agamas and also the experience

in preparing prasadam in vaishnavite temple earlier for five years. If

that is ensured, it does not really matter as to whether the participant

belongs to a brahmin community.

13. In the light of the above discussion, this Court does not find any ground to interfere with the relevant clause contained in the auction notice and the respondent can proceed further with the auction and finalize the same in favour of the highest bidder.

In the result, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

12.08.2025

Neutral Citation: Yes

Index: Yes

Speaking Order

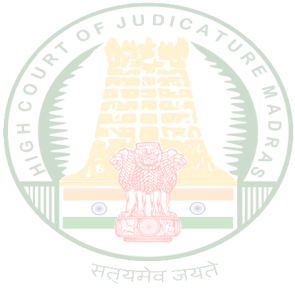
gm

N.ANAND VENKATESH, J

gm

To

The Executive Officer/Assistant Commissioner,
Arulmigu Devarajaswamy Thirukovil,
Little Kancheepuram.



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