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ITEM NO.56+54 COURT NO.10 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. 189491/2026 - INTERVENTION APPLICATION
IA No. 36993/2026 - INTERVENTION/IMPLEADMENT

WITH
SLP(C) No. 27891-27910/2026 (XII)

IA No. 197698/2026 - CONDONATION OF DELAY IN FILING
IA No. 197695/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT
IA No. 197697/2026 - EXEMPTION FROM FILING O.T.
SLP(C) No. 27913-27918/2026 (XII)

IA No. 94737/2026 - CONDONATION OF DELAY IN REFILING/CURING THE DEFECTS
IA No. 94735/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT
IA No. 94736/2026 - EXEMPTION FROM FILING O.T.

SLP(C) No. 28036/2026 (XII)

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). 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

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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 : 20-11-2026 These matters were called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE ARAVIND KUMAR
HON'BLE MR. JUSTICE VIPUL M. PANCHOLI

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Ms. Madhumitha Al, Adv.

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Ms. Rakshha, Adv.

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Mr. K. M. Nataraj, A.S.G.
Mr. Yashraj Bundela, Adv.

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Mrs. S. Deepa, Adv.

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Mr. G. Balaji- 1450, AOR

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Mr. Ashwani Gahlot, Adv.
Mr. Arun Swaminathan, Adv.
Ms. Arzu Paul, Adv.

UPON hearing the counsel the Court made the following
O R D E R

1. Delay condoned and Issue notice in SLP (C) Diary No.70213/2026 and SLP (C) Diary No. 69967-2026.

2. Leave granted.

3. W.P. (C) No. 1280/2025 is admitted counter/additional counter if any, shall be filed within six weeks and rejoinder or reply affidavit if any, shall be filed within three weeks thereafter.

4. Mr. G. Balaji, learned AOR, accepts and waives service of notice on behalf of respondent No. 1; Mr. Karunakaran, learned AOR, accepts and waives service of notice on behalf of respondent Nos. 2 to 5 and 7; and Ms. Asha Tyagi, learned AOR, accepts and waives service of notice on behalf of respondent No. 8 in SLP (C) Diary No. 70213/2026 and SLP (C) Diary No. 69967/2026, respectively. Issue notice to the rest of the respondents. All the respondents are permitted to file vakalatnama and counter affidavit within six weeks. Rejoinder or reply (if any) within three weeks thereafter.

5. Pleadings in all the above matters to be completed within eight weeks from today.

6. Having heard the learned senior counsels appearing for the respective parties at considerable length on the question of interim relief, we proceed to pass the following order.

7. The present batch of proceedings arises out of the judgment dated

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06.01.2026 passed by the Division Bench, of the High Court of Judicature at Madras, Madurai Bench, concerning the lighting of Karthigai Deepam at Thirupparankundram Hill, Madurai.

8. Several questions of considerable importance have been urged before us, including the nature and extent of religious freedom, the enforceability of an asserted religious practice, the authority of the Temple administration in matters of religious observance, the effect of earlier judicial pronouncements and the permissible limits of judicial intervention in such matters. We are conscious that certain broader questions concerning the scope of Articles 25 and 26 of the Constitution of India, the relationship between individual and denominational rights, and the extent of judicial review in matters of religious practice are presently awaiting authoritative pronouncement by a Nine-Judge Constitution Bench of this Court in the reference arising from the ***Sabarimala*** proceedings.

9. We consider it neither necessary nor appropriate, at this interlocutory stage, to undertake an examination of the aforesaid questions or to express any opinion upon the competing claims advanced before us. The issues concerning the nature of the alleged custom, the legal character of the disputed site, the rights flowing from earlier decrees and the statutory authority of the concerned institutions shall receive consideration at the appropriate stage. Our conscious decision not to address the submissions advanced at the Bar must not be understood as either their acceptance or rejection.

10. We are also mindful of the fact that the Learned Single Judge, as well as the Division Bench of the High Court, have, albeit with differing safeguards and qualifications, directed the lighting of the ceremonial lamp at the Deepathoon. While the correctness of the said directions is the subject matter of challenge

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before us, the circumstance that both judicial forums have considered it appropriate to direct the performance of the ceremony at the said location is not altogether without significance for the limited purpose of considering interim relief. We hasten to clarify that this observation shall not be construed as an expression of approval of the reasoning or findings recorded in either judgment.

11. What weighs with us at this stage is the peculiar nature of the occasion and the proximity of the festival, which is scheduled to take place on 24.11.2026. The opportunity to perform the ceremony on that particular day, if denied, cannot be restored by any subsequent adjudication. Equally, we are conscious that the performance of the ceremony, once permitted, cannot be undone. It is precisely for this reason that any interim arrangement must be narrowly confined, carefully regulated and incapable of creating any enduring legal consequence. Having considered the competing interests, and without pronouncing upon their respective merits, we are of the view that a limited, one-time arrangement, subject to stringent safeguards, would appropriately balance the interests involved pending further consideration.

12. Accordingly, we direct that the findings recorded in the paragraphs 1-141 of the Impugned Judgment dated 06.01.2026 insofar as they concern, the challenge in the present proceedings to remain stayed until further orders and subject to further directions issued hereunder. This direction shall not be construed as expressing any opinion on the correctness of the findings recorded therein.

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

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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

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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

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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.

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21. All contentions of the parties are expressly kept open. The interim applications stand disposed of in the aforesaid terms, subject to further orders of this Court. List the matters in 2nd week of January 2027 and by which time the pleadings shall be completed. A convenience compilation shall be filed and Sri Karunakaran, Standing Counsel (AOR) shall act as a nodal counsel and all the learned Advocates appearing in the matter shall furnish soft copies of their respective pleadings to enable the nodal counsel to compile or collate the pleadings for preparing the convenience compilation.

22. Registry to tag all these matters and list in 2nd week of January, 2027.

(DEEPANSHU)
SENIOR PERSONAL ASSISTANT

(AVGV RAMU)
COURT MASTER (NSH)