

## Century - Old Temple Conflict Ends



(HPI Adds: Following is a complete report on this important decision. India's Supreme Court ruled on January 6, 2014 that the famous Nataraja temple in the town of Chidambaram in Tamil Nadu will continue to be managed by priests and not taken over the state government. In 2009, the Madras High Court had transferred the administration of the 1000-year-old-temple dedicated to Lord Shiva to the government. That verdict was based on the allegation that the temple's considerable wealth was being mismanaged. The decision was challenged by the temple's priests who belong to the Dikshathar sect.)

CHENNAI, INDIA, January 6, 2014 (The Hindu): The Supreme Court judgment on Chidambaram Natarajar temple brings to an end more than a century-old tussle between the State and priests over temple

administration. One of the earliest documented incidents relating to the status of Chidambaram Natarajar temple or Sabanayagar temple as it is officially known dates back to 1885. The Dikshitar or the priest community who administered the temple approached the Madras High Court to designate the temple as a private one. The judges, after hearing the arguments, made it clear that the Chidambaram temple was a place of public worship and not a private property of the Dikshitar.

When the Hindu Religious Endowments Board was created and the relevant Act was passed in 1925, the Dikshitar appealed to the government to exempt the temple from the Board schemes. Though the government accepted the appeal, it informed the dikshitar that sections of the Act relating to submission of accounts and formulation



of administrative schemes would apply. In 1933, the government tried to streamline the management of the temple by proposing a committee comprising nine Dikshitaras. This committee, in turn, was to appoint a manager subject to the approval of the HR and CE board, maintain accounts, properties, and account for cash offerings.

The Dikshitaras challenged this scheme, but the High Court Bench upheld it in 1939. In 1951, the government wanted to abolish private temples in the State. It appointed an executive officer to oversee the Natarajar temple administration. The Dikshitaras challenged this. The Madras High Court, in its judgment in 1959, held that the Natarajar temple belongs to a religious denomination, and, hence the appointment of an executive officer was “opposed to the fundamental rights guaranteed under Article 26 and 27 of the constitution.”

In 1982, the government, citing claims of mismanagement, issued notice to the temple and proposed to appoint an executive officer to manage its affairs. When the Dikshitaras appealed, the government

defended its decision stating that the appointment of an officer was only to administer the properties. It would not interfere in religious rights of the priests, it argued. The Dikshitaras moved the court in 1984. When the court dismissed their petition in 1997, they filed an appeal.

The court then directed them to file a revision petition with the government. When the petition was rejected in 2006, the Dikshitaras approached the court again. After hearing both sides, the single judge of the High Court, in 2009, passed orders upholding the appointment of executive officer. Citing the Supreme Court cases since the 1950s, the court ruled that the Dikshitaras “are not entitled to the protection” as a denomination temple in the matter of administration. It also held that the State can intervene and regulate administration. The Dikshitaras appealed against this judgment. The Madras High Court Bench heard the appeal and upheld the orders of the Single Judge. The Dikshitaras then appealed to the Supreme Court. Subramaniam Swamy served as their lawyer in that winning case.