



W.P. (MD) No. 19115 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.08.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

and

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.19115 of 2020

D.Ponnusamy,
S/o.Dharmaraj,
32, Kazura Garden,
2nd Main Road,
Neelangarai,
Chennai 600152.

... Petitioner

Vs

1. The Commissioner,
Hindu Religious and Charitable Endowments,
119, Uthamar Gandhi Raod,
Chennai 600 034.

2. The District Collector,
Karur District,
Karur.

3. The Assistant Commissioner/The Thakkar,
Hindu Religious and Charitable Endowments,
Arulmigu Kalyan Pasupatheesvarar Swamy Thirukovil,
Karur.

4. The Executive Officer,
Arulmigu Kalyan Pasupatheesvarar Swamy Thirukovil,
Karur.

... Respondents

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PRAYER :

Writ Petition filed under Article 226 of Constitution of India for issuance of Writ of Mandamus directing the Respondents to conduct consecration Kudamuzhukku/Nanneerattu function of Arulmigu Pasupatheshwara Swamy Tirukovil, Karur in Tamil by chanting Thirumuraikal and Tamil Saiva Manthiram and also songs of Saint Amaravathi Aatrangarai Karurar.

For Petitioner : Mr.S.Arunachalam

For Respondents : Mr.K.P.Narayana Kumar
Special Government Pleader

ORDER

(Order of the Court was delivered by N.KIRUBAKARAN, J)

உலகெலாம்

உணர்ந்தோதற்கரியவன்

நிலவு லாவிய நீர்மலி வேணியன்

அலகில் சோதியன்

அம்பலத்தாடுவான்

மலர் சிலம்படி வாழ்த்தி

வணங்குவோம்

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The one who is difficult for the world to experience and explore out!



The one with moon wandering, water brimming Hair!

Illuminant beyond any scales (to measure)!

Dances in the Common (thirucciRRambalam hall)!

His flowral cilambu ornament feet, (We)

hail, Salute!!

2.The first song of thiru thondar puranam namely, Periyapuranam composed by Sekkizhar is said to have been given by Lord Shiva himself through divine voice heard from sky, when Sekkizhar was about to commence in writing about devotees of Lord Shiva. The importance of worshiping of Gods in Tamil is insisted by our Nayanmars and Alwars and it could be understood by the following hymns:

"சலம் பூவோடு தூபம் மறந்தறியேன்
தமிழோடு இசைபாடல் மறந்தறியேன்

- திருநாவுக்கரசர்
सत्यमेव जयते

ஆறு அது ஏறம் சடையான்
அருள்மேவ அவனியர்க்கு
வீறு அது ஏறும் தமிழால்
வழிகண்டவன்

- நம்பியாண்டார் நம்பி

நமக்கும் அன்பின் பெருகிய
சிறப்பின் மிக்க அர்ச்சனை



பாட்டேயாகும். ஆதலால்

மண்மேல் நம்மை

சொற்றமிழால் பாடுக

- இறைவன் சேக்கிழாருக்கு உரைத்தல்

பன்னு தமிழ்மறையால் பதிகம் பாடி

- பெரியபுராணம்

தன்னார் தமிழ் அளிக்கும்

தன்பாண்டி நாட்டாணை

- மாணிக்கவாசகர் (திருவாசகம்)"

3.The present Writ Petition has been filed seeking direction to the Respondents to conduct consecration/Kudamuzhukku/Nanneerattu function of Arulmigu Pasupatheshwara Swamy Tirukovil, Karur in Tamil by chanting Thirumuraikal and Tamil Saiva Manthiram and also songs of Saint Amaravathi Aatrangarai Karurar.

सत्यमेव जयते

4.Tamil is not only one of the earliest ancient languages of the world but also a "Language of GODS". It is believed that Tamil language is born out of pellet drum which fell from Lord Shiva while he was dancing. Another School of thought is that Lord Muruga created Tamil language. As per mythology, Lord Shiva presided over the first academy



(First Tamil Sangam). It is believed that Lord Shiva played “Thiruvilayadal” to test the knowledge of Tamil poets. The above would only mean that Tamil language is connected with Gods. When it is connected with Gods, it is a Godly language. Such a Godly language has to be used while performing “Kudamuzhuku”. For this reason only, the petitioner has come before this Court seeking a Writ of Mandamus directing the respondents to conduct consecration/Kudamuzhukku/Nanneerattu function of Arulmigu Pasupatheshwara Swamy Tirukovil, Karur in Tamil.

5.The petitioner is said to be the Managing Trustee of Indu Vedha Marumalarchi Iyakkam, which is a registered Trust following Tamil Saivam and also the religious concepts, as pronounced by Saint 12th Pathinen Sidhdhar Peedathipathi Arasayogi Karurar, who came in the lineage of Great Saint Karurar who was believed to have played great role in the construction of Thanjavur Peruvudaiyar Kovil of Raja Raja Cholan. The Tomb of Amaravathi Aatrarangarai Karurar is located within Arulmighu Kalyana Pasupatheesvarar Temple, Karur which is worshiped by numerous devotees. The Kudamuzhuku was fixed on 04.12.2020 in the said temple. On coming to know that during the Kudmuzhuku



function, only sanskrit vedas are going to be recited and Tamil hymns, Thirumuraikal and Tamil Saiva Manthiram are not going to be chanted, the petitioner gave a representation on 21.11.2020 to the respondents. Since neither a decision was taken nor a reply has been received, the petitioner has come before this Court.

6. Heard Mr.S.Arunachalam, learned counsel for the petitioner and Mr.K.P.Narayana Kumar, learned Special Government Pleader.

7. When the matter was called in the last hearing, it was informed by Mr.K.P.Narayana Kumar, learned Special Government Pleader that the Tamil hymns would also be recited along with vedic hymns during the Kudamuzhuku and therefore, this Court recorded the said undertaking. In view of the same, the prayer sought for by the petitioner was answered by the respondents.

8. However, the issue of using Tamil hymns/verses is a long pending demand by the devotees as well as Tamil enthusiasts. Even the policy makers who have been ruling the State from the year 1967 onwards are also interested in making use of Tamil in all the fields. The

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Temples play an important role in spiritual spheres. It is a place to get peace of mind. The places of worship is meant for spreading peace and love.

9. In various countries and various religions, different types of beliefs are in existence. The places of worship also changes according to the culture and religion. In those places, only the local language was stated to be used for doing heavenly service. However, in our country, it is made to believe that Sanskrit alone is Gods language and not any other language is equivalent. No doubt, Sanskrit is an ancient language with enormous ancient literature. The belief is spread in such a way that only if the Sanskrit vedas are recited, the Gods will listen to the prayers of the devotees. However, every language spoken by the people is God's language. Man cannot create language. The languages are in existence for centuries together and passed on from one generation to the other generation. There can only be improvement in the existing language and there cannot be any creation of language.

10. For example, Tamil is considered as one of the ancient languages of the world and scientifically proved to be the oldest



language in India as per the scientific evidence available at Porundhal, Kodumanal, Sivakalai, Keeladi and Azhagankulam. The carbon dating of Pot sherds inscribed with Tamil Bhrami letters prove that Tamil language has been in existence even before 409 BC and it was a developed language used as a language of communication at that point of time itself. Even as per the ASI statement before this Court, Tamil inscriptions constitute the majority of the Indian inscriptions available pan India. Those inscriptions have not been discovered by us and most of them have been found by the British people out of their keen interest in Tamil language. However, sadly the estampages of Tamil inscriptions taken by the British people are not properly preserved and many of them are lost or damaged. It is also stated that many precious palm leaf manuscripts containing Tamil literature were burnt or thrown into river. U.Ve.Swaminatha Iyer, fondly called as “Tamil Thatha” was responsible for retrieving and preserving the palm leaf manuscripts and Tamil materials. But for him, many of the precious valuable literature could not have been saved. That is the reason why he is called as “Tamil Thatha”. As far as the scientific evidence available to the Sanskrit language is concerned, the age is first Century BC. Though it is stated that it is in existence for more than 3000 years and passed on orally from generation



to generation, it is only hypothetical as proof is not available. However, it is also one of the ancient languages which is required to be preserved. However, Tamil has got scientific evidence to prove its antiquity. Therefore, it cannot be said that only one language alone is God's language and other languages are not.

11. Further, there is Thirumurai available in Tamil language. It is a twelve volume compendium of hymns in praise of Lord Shiva in Tamil language from 6th to 11th Century C.E by various poets and devotees. They are, 1,2,3 – *Thirukadaikappu by Sambandar;*

4,5,6 – *Thevaram by Thirunavukkarasar,*

7 – *Thirupattu by Sundarar,*

8 – *Thiruvacakam & Thirukkovaigar by Manickavasagar,*

9 – *Thiruvisaippa & Tirupallaandu by various authors,*

10 – *Thirumandhiram by Thirumular,*

11 – *by various authors and*

12 – *Periya Puranam by Sekkizhar.*

12. It is impossible to believe that Gods do not understand local languages. If God does not understand the wealthy literature which is



devoted to it, the Bakthi Literatures generated by “Nayanmars” “Azhwars” and devoted saints could not have been developed. Appar, Sundarar, Sambandar and Thiruvavukarasar are responsible for Bakthi Movement in Tamil Nadu, who sang in praise of Lord Shiva using Tamil hymns/verses. The 12 nayanmars who are ardent devotees of Lord Shiva are responsible for construction of many Temples with the patronage of the Kings. Similarly, Tamil language has been developed by Alwars and Vaishnavites. It is the 12 Azhwars who consecrated almost 108 holy abodes of Lord Thirumal. They used Tamil language to praise and please God Thirumal. The procedures developed by Saint Ramanujar is being followed in all Vaishnavite Temples throughout South India. During the lord's procession, Tamil hymns like “Thirupavai” and “Nalaairadivyaprabandham” used to be recited by the devotees preceding Lord “Thirumal” followed by Sanskrit vedas recited by priests. For the past 1000 years, it is the custom and tradition being followed. From the above, it is clear that Tamil has been given prominence in vaishnavism.

13. There is a saying that Tamil has been developed by Alwars.

Even as on today, in “Tirumalai Tirupathi Temple”, during the month of Margazhi, it is only Thirupavai which is recited before Lord



Thiruvencatathan. Even according to Bhagavat Geetha, Lord Krishna stated that he manifests himself in the month of Margazhi. Thus, God Thirumal would like to hear “Tamil Thirupavai” during the month of Margazhi which he is fond of. When Vaishnavism gave importance and prominence to Tamil hymns, Saivism equally gave importance to Tamil, due to availability of many literatures, especially Bakthi literature. If God could not understand Tamil, how was it possible for die hard devotees who were committed to worshipping of Lord Shiva, Lord Thirumal, Lord Muruga etc., to have composed so many hymns in praise of them. Therefore, the theory that God understands only one language cannot be believed.

14.The petitioner seeks for performing Kudamuzhuku in a particular temple by reciting Tamil verses. However, it is not only for that Temple but throughout the country, all the Temples should be consecrated by reciting Tamil Thirumurai and other hymns composed by Saints like Alwargal and Nayanmargal, apart from Pattinathar, Arunagirinathar etc.,

15.If Tamil hymns cannot be used in the Temples located in



Tamil Nadu, nowhere else it can be used. It is stated that King Raja Raja Chozhan retrieved Thirumurais and brought it to Periya Temple in procession by placing them on Elephant. Such was the importance given to Tamil language by “King Raja Raja Chozhan”. It is said Raja Raja Chozhan – 1 ventured to recover the hymns after hearing short excerpts of Thevaram in his Court. By divine intervention Nambiandar Nambi, from whom help was sought by Raja Raja Chozhan found the presence of scripts in the form of Cadijam leaves half eaten by white ants in a chamber inside the second precincts in Thillai Natarajar Temple, Chidambaram. Since Raja Raja Chozhan was instrumental in retrieving Thirumurais, he is popularly known as “Thirumurai Kanda Chozan”. When that is the position, it is not understandable, how the practice of reciting Tamil slowly vanished in Tamil Nadu. Therefore, a direction is necessary to recite Tamil hymns/verses and Thirumurais during Kudamuzhuku primarily, alongwith Sanskrit hymns/vedas during Kudamuzhuku.

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16.A Committee should be constituted by the State Government comprising of Tamil scholars, devotees and those who are believers of God to identify and consolidate the important and ancient



Tamil hymns composed by Saints like Nayanmars and Alwars, Arunagirinathar, Pattinathar and other Siddhars. The Committee formed should make consultation with experts and all other stake holders connected with the Temples and file a report to the Government.

17.The State Government shall take a decision regarding the date from which Kudamuzhuku would be conducted in Tamil or equal importance is given along with Sanskrit. The Committee should be reconstituted periodically so that if any other worthy hymns are found, they could also be recited along with other verses which are recited at the time of performing Kudamuzhuku.

18.With the above direction, the Writ Petition is disposed of.

No costs.

सत्यमेव जयते

(N.K.K.,J)

(B.P.,J)

19.08.2021

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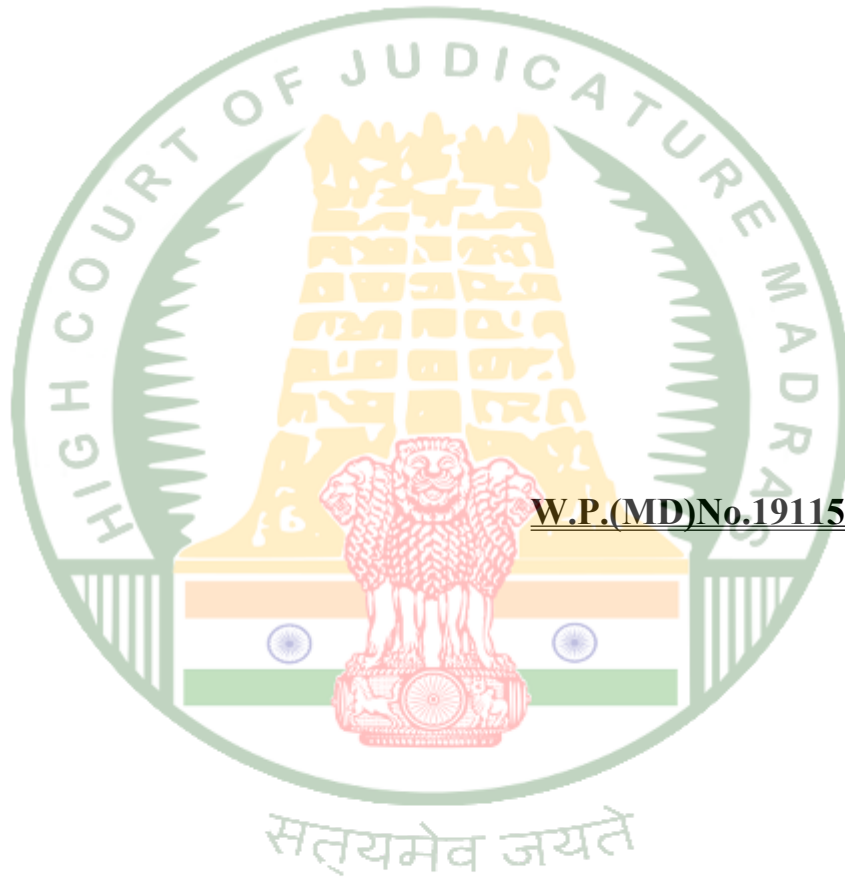
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