



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 1ST DAY OF JULY, 2026

BEFORE

THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

WRIT PETITION NO. 19727 OF 2026 (GM-R/C)

BETWEEN:

1. SRI. N. ANIL KUMAR,
S/O LATE K. NAGARAJU,
AGED ABOUT 50 YEARS,
RESIDING AT NO. 6, DEVIKERE ROAD,
KASABA HOBLI,
CHAMUNDI BETTA POST,
CHAMUNDI BETTA, MYSORE,
KARNATAKA - 570 010

... PETITIONER

(BY SRI. PAVAN SAGAR, ADVOCATE FOR
SMT. SHWETHA L., ADVOCATE)

AND:

1. STATE OF KARNATAKA,
REPRESENTED BY ITS SECRETARY,
DHARMIKA DHATTHI DEPARTMENT,
VIDHANA SOUDHA,
BENGALURU - 01
2. EXECUTIVE OFFICER,
CHAMUNDESHWARI TEMPLE,
CHAMUNDI BETTA, MYSORE,
KARNATAKA - 570 010
3. DEPUTY COMMISSIONER,
MYSORE DISTRICT,
DEPUTY COMMISSIONER OFFICE,
MYSORE - 570 010
4. COMMISSIONER,
DEPARTMENT OF HINDU RELIGIOUS AND





CHARITABLE ENDOWMENTS,
4TH FLOOR, MINTO ANJANEYA BHAVAN,
ALUR VENKATA RAO ROAD,
CHAMARAJAPETE,
BENGALURU - 560 018

... RESPONDENTS

(BY SRI. C.H. DEVARAJ, GOVERNMENT ADVOCATE)

THIS W.P. IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO DIRECTING THE 2ND RESPONDENT TO ABIDE BY AND TO CONSEQUENTLY PERMIT THE PETITIONER TO PERFORM THE HEREDITARY DUTIES OF A SANNIDHI PARICHARAKA AT THE CHAMUNDESHWARI TEMPLE, CHAMUNDI HILLS, MYSORE FOR A PERIOD OF TWO MONTHS IN A CALENDAR YEAR IN ACCORDANCE WITH THE ORDER BEARING NO. DVS-1/SIBBANDI/CR16/16-17 DATED 21.06.2016 PASSED BY THE 3RD RESPONDENT (VIDE ANNEXURE C) AND THE ORDER BEARING NO. ADM/1/CR/102/16-17 DATED 20.12.2017 PASSED BY THE 4TH RESPONDENT (VIDE ANNEXURE E) AND ETC.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

ORAL ORDER

1. The Petitioner is before this Court seeking for the following reliefs:

- (i) *Issue a Writ, Order or Direction in the nature of mandamus directing the 2nd Respondent to abide by and to consequently permit the Petitioner to perform the hereditary duties of a Sannidhi Paricharaka at the Chamundeshwari Temple, Chamundi Hills, Mysore for a period of two months in a calendar year in accordance with the order bearing No. DVS-1/Sibbandi/CR16/16-17 dated 21.06.2016 passed by the 3rd Respondent (vide Annexure C) and the order bearing No. ADM/1/CR/102/16-17 dated*



20.12.2017 passed by the 4th Respondent (vide Annexure E);

- (ii) Issue a Writ, Order or Direction in the nature of Prohibition thereby restraining the respondents or any of their subordinate office bearers from in any manner interfering, objecting or obstructing to the Petitioner performing the hereditary duties of a Sannidhi Paricharaka at the Chamundeshwari Temple, Chamundi Hills, Mysore for a period of two months in a calendar year on the ground of his ineligibility arising from his skin condition;*
- (iii) Pass such other writ, order or direction, as may be deemed necessary by this Hon'ble Court in the facts and circumstances of the present case;*

2. The petitioner's uncle was serving as a Sannidhi Paricharaka at the Chamundeshwari Temple, Chamundi Hills, Mysuru, during his lifetime. He had executed a registered Will dated 17.10.2015, bequeathing his hereditary right to the said post in favour of the petitioner. Upon the death of the said uncle on 17.01.2016, the petitioner sought transfer of the inherited rights in his favour. Consequently, respondent No.3 - the Deputy Commissioner, by order dated 21.06.2016, transferred the rights and privileges attached to the said post in favour of the petitioner.



3. Thereafter, the petitioner commenced discharging the duties attached to the said post. Certain complaints were allegedly received from devotees objecting to the petitioner performing pujas on the ground that he was suffering from vitiligo. In that regard, an enquiry was conducted and the petitioner was subjected to medical examination. A certificate dated 01.02.2017 was thereafter issued by the competent medical authority certifying that the condition suffered by the petitioner was not contagious.
4. Subsequently, a further dispute arose as to whether a person suffering from vitiligo could perform pujas. Accordingly, the opinion of Agama Pandits was sought. The Agama Pandits, after examining the relevant religious texts, submitted a report dated 20.12.2017 stating that there was nothing in the texts which prohibited or prevented a person suffering from vitiligo from performing pujas or discharging duties as a Sannidhi Paricharaka. Pursuant thereto, the petitioner was permitted to perform the pujas and discharge the duties attached to the said post and has continued to do so till date.



5. It is alleged that respondent No.2 has recently begun interfering with the discharge of duties by the petitioner on the ground that the petitioner suffers from vitiligo. In that background, the petitioner was prevented from performing the pujas and other related activities. Consequently, the petitioner submitted a representation dated 16.06.2026, since his turn to perform puja was to commence on 01.07.2026. As the said representation has not been considered, the petitioner has approached this Court seeking the aforesaid reliefs.

6. Learned Additional Government Advocate was called upon to obtain instructions and make submissions as to whether the petitioner would be permitted to carry out the pujas in terms of the order passed by the Deputy Commissioner in the year 2016. On instructions, learned AGA submitted that the petitioner was not personally performing the pujas, but had deputed one Mr. Shankar Jois, a relative of the petitioner, to do so and, therefore, the petitioner's request could not be considered. It was contended that the petitioner, not personally performing the pujas, could not claim the right and delegate the same to a third party.



7. The right of the petitioner to perform the pujas is not disputed. The only issue raised by the learned AGA relates to the delegation sought to be made by the petitioner.
8. Both the medical authorities as well as the Agama Pandits have categorically opined that vitiligo neither constitutes a disqualification nor operates as a prohibition for the performance of pujas. The medical certificate issued by the competent authority clearly records that the condition suffered by the petitioner is not contagious. The Agama Pandits, upon examination of the relevant religious texts, have further opined that there is no scriptural interdiction preventing a person suffering from vitiligo from discharging the duties of a Sannidhi Paricharaka.
9. Article 14 of the Constitution of India guarantees equality before the law and equal protection of the laws to every person. The constitutional mandate embodied therein strikes at arbitrariness in State action and prohibits discrimination founded on irrational, unreasonable or extraneous considerations. Any classification sought to be made by the State or its instrumentalities must rest upon an intelligible differentia having a rational nexus with



the object sought to be achieved. Mere physical appearance or the existence of a non-contagious medical condition, which neither impairs the discharge of duties nor renders an individual incapable of performing the functions attached to the office, cannot constitute a valid basis for differential treatment.

10. Stigmatisation or exclusion of an individual solely on account of a medical condition such as vitiligo, particularly when expert medical opinion establishes that the condition is non-contagious and when there exists no religious prohibition against such individual performing the duties in question, would amount to discrimination and would be arbitrary. Such exclusion would offend not only Article 14 but also the constitutional values of dignity, inclusiveness and equal opportunity which form the foundation of the constitutional framework.
11. In the considered opinion of this Court, therefore, the respondents cannot rely upon the petitioner's medical condition as a ground to deprive him of the hereditary rights and privileges attached to the post or to prevent him from performing the pujas and other religious duties attached thereto.



12. The learned AGA is justified in contending that it is the petitioner himself who is required to perform the pujas and not a delegate appointed by him. However, it is also necessary to note that pujas are required to be performed on a daily basis and situations may arise beyond the control of the petitioner which may prevent him from personally performing the same, thereby necessitating the appointment of a substitute.
13. Therefore, it is always open to the respondents to impose such reasonable conditions as may be considered necessary with regard to the performance of pujas by the petitioner, including stipulating the circumstances under which a substitute may be engaged and prescribing an upper limit on the number of days for which such substitution may be permitted. However, such delegation, by itself, cannot constitute a ground to deny the petitioner his right to perform the pujas.
14. As such, this Court passes the following:

ORDER

- i) The Writ Petition is ***allowed***.
- ii) A mandamus is issued directing respondent no.2 to abide by the order passed by



respondent no.3 on 21.06.2016 and permit the petitioner to carry out the necessary pujas in terms of the said order without any interference by imposing necessary conditions as regard the number of days on which a delegate would perform the puja on behalf of the person.

**Sd/-
(SURAJ GOVINDARAJ)
JUDGE**

PRS
List No.: 1 Sl No.: 24