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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-08-2026

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THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

**CRP No. 2849 of 2025
and CMP No.16107 of 2025**

Rangasamy

Petitioner(s)

Vs

1. R.P.Selvan

2.Rajendiran

3.S.Ramasamy

4.The Joint Commissioner
Hindu Religious and Charitable
Endowments Board, Salem.

Respondent(s)

PRAYER

Petition filed under Article 227 of the Constitution of India, to set aside the fair and decreetal order dated 22.11.2024 made in IA.No. 8 of 2024 in OS.No. 467 of 2019 on the file of III Additional District Munsif, Salem.

For Petitioner(s): Mr.S.Arjun

For Respondent(s): Mr.B.Vijayakumar for R1 to R3

Mrs.S.Yogalakshmi
Additional Government Pleader
for R4



ORDER

This Civil Revision Petition has been filed under Article 227 of the Constitution of India challenging the fair and decreetal order passed in IA.No. 8 of 2024 in OS.No.467 of 2019, on the file of III Additional District Munsif, Salem, dated 22.11.2024, wherein the application filed by the petitioner/plaintiff under Order VI Rule 17 of CPC, came to be dismissed by the Court below.

2.Heard the learned counsel for the petitioner and the learned counsel for respondents 1 to 3 and the learned Additional Government Pleader appearing on behalf of the 4th respondent.

3.This Court carefully perused the materials available on record and this Court also went through the order passed by the Court below.

4.The petitioner is the plaintiff who filed the suit in OS.No.467 of 2019, seeking for the relief of permanent injunction restraining the defendants 1, 2 and 3 from conducting a particular temple bull procession. The pleadings were complete, issues were framed and the case was at the stage of examination of PW.1. At this stage, IA.No.8 of 2024, came to be filed under Order VI Rule 17 of CPC for amendment of pleadings, wherein the petitioner sought for an amendment regarding the relief of declaration to declare that only the plaintiff and his family have the right to conduct temple bull procession and for a



permanent injunction restraining the defendants from preventing the plaintiff in conducting the temple bull procession.

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4.The Court below dismissed the application mainly on the ground that the amendment that has been sought for by the plaintiff completely changes the character of the suit. That apart, such a right can be worked out by the plaintiff only under Section 63(e) of the HR & CE Act. Aggrieved by the same, the present Civil Revision Petition has been filed before this Court.

5.In the case in hand, the amendment petition was filed at the stage of cross examination of PW.1. Hence, it is a post trial amendment. In view of the same, the Court has to be more stringent while considering the relief sought for to amend the pleadings. Initially, the relief that was sought for by the petitioner was for a permanent injunction restraining the defendants from conducting the temple bull procession of Arulmigu Govindaperumal Swamy temple. The amendment that is sought for by the petitioner is now for a declaration to declare that the plaintiff and his family members alone are entitle to conduct the temple bull procession and restraining the defendants from interfering with the same. This amendment sought for virtually changes the very character of the suit and the Court below has also considered the fact that such exclusive right has to be dealt with only by the HR & CE Department under Section 63(e) of the HR & CE Act.



6. The order passed by the Court below does not suffer from any perversity warranting the interference of this Court in exercise of its jurisdiction under Article 227 of the Constitution of India. In view of the same, this Civil Revision Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

20-08-2026

Index: Yes/No
Speaking/Non-speaking order
Internet: Yes
Neutral Citation: Yes/No
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To

1. III Additional District Munsif,
Salem.

2. The Joint Commissioner
Hindu Religious and Charitable
Endowments Board, Salem



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N.ANAND VENKATESH J.

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