



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-08-2026

CORAM

THE HON'BLE MR JUSTICE N. ANAND VENKATESH

CRP No. 4937 of 2026

and

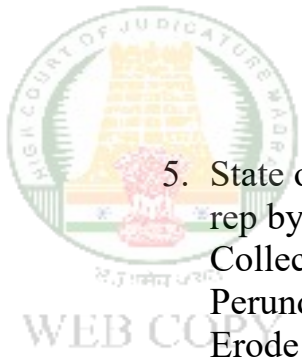
CMP No.21561 of 2026

1. Shanthakumari
2. Saraswathi
3. Arumugam
4. Kolandaivel

..Petitioner(s)

Vs

1. Arulmighu Sankameswarar Thirukovil
Bhavani rep. by Executive Officer,
Bhavani, Bhavani Taluk,
Erode District.
2. The Commissioner
Hindu Religious and Charitable
Endowment Board,
Nungambakkam High Road,
Chennai 600 034.
3. The Assistant Commissioner
Hindu Religious and Charitable
Endowment Board,
Perundurai road,
Veerappanchattiram,
NGGO Colony,
Erode 638 001
Erode District.
4. The Tahsildar
Bhavani Taluk Office,
Bhavani, Erode District.



5. State of Tamil Nadu
rep by the District Collector,
Collectorate,
Perundurai road,
Erode 638 011, Erode District.

..Respondent(s)

Civil Revision Petition filed under Article 227 of the Constitution of India praying to set aside the docket order 12.06.2026 made in IA CFR No.599 of 2026 in OS.No.23 of 2025 on the file of the District Munsif Court, Bhavani by allowing the Civil Revision Petition.

For Petitioner(s): Mr.N.Manoharan

For Respondent(s): Mrs.S.Yogalakshmi
for R2 to R5

ORDER

This Civil Revision Petition has been filed under Article 227 of the Constitution of India against the docket order dated 12.06.2026 made in IA CFR No.599 of 2026 in OS.No.23 of 2025, on the file of the District Munsif Court, Bhavani, wherein the application filed by the petitioners/plaintiffs under Section 10 of CPC was refused to be entertained by the Court below.

2.This Court heard the learned counsel appearing for the petitioners and carefully perused the materials available on record. This Court also carefully went through the order passed by the Court below.



3.The grievance expressed by the learned counsel for the petitioners is that the petitioners who are the plaintiffs have filed a suit in OS.No.23 of 2025 against the respondents seeking for the relief of permanent injunction and a Second Appeal is also pending before this Court in SA No.244 of 2018 and in that Second Appeal, an interim order has been passed by this Court and since the parties are the same and the Second Appeal is pending, an application came to be filed under Section 10 of CPC to stay the present suit in OS.No.23 of 2025 till the disposal of SA No.244 of 2018. The Court below even without numbering the application has returned the papers by the passing the docket order dated 12.06.2026 stating that the application is not maintainable.

4.In the considered view of this Court, the Court below should have numbered the application and heard both sides and passed the order. Instead a detailed docket order has been passed even without numbering the application. In view of the same, there shall be a direction to the Court below to entertain the application and afford an opportunity to both sides and take a considered decision in accordance with law.

5.The Civil Revision Petition is disposed of in the above terms. Registry is directed to return back the original application filed to the learned counsel for



the petitioners in order to enable the petitioners to re-present it before the Court below. No costs. Consequently, connected miscellaneous petition is closed.

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19-08-2026

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

To

1.The District Munsif Court,
Bhavani.

2.Arulmighu Sankameswarar Thirukovil
Bhavani rep. by Executive Officer,
Bhavani, Bhavani Taluk,
Erode District.

3.The Commissioner
Hindu Religious and Charitable
Endowment Board,
Nungambakkam High Road,
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Perundurai road,
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NGGO Colony,Erode 638 001
Erode District.

5.The Tahsildar
Bhavani Taluk Office,
Bhavani, Erode District.

6.The District Collector,
Collectorate, Perundurai road,
Erode 638 011, Erode District.



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N.ANAND VENKATESH, J.

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