

C.R.P(MD)No.1930 & 1931 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.07.2026

CORAM

THE HON'BLE MR. JUSTICE S.SOUNTHAR

C.R.P.(MD)No.1930 & 1931 of 2023

and

C.M.P(MD)No.9717 of 2023

- 1.R.Chandran
- 2.A.Kasi
- 3.S.Raman
- 4.Perumal
- 5.S.Murugan
- 6.S.Murugesan

.. Petitioners in both petitions

Vs.

- 1.The Commissioner
Hindu Religious and Charitable Endowments Board,
Chennai.
 - 2.Joint Commissioner,
Hindu Religious and Charitable Endowments Board,
Thiruvananthapuram Road
Palayamkottai, Tirunelveli.
 - 3.Assistant Commissioner,
Hindu Religious and Charitable Endowments Board,
Thiruvananthapuram Road
Palayamkottai, Tirunelveli.
 - 4.Thakkar
Arulmigu Sembalai Sudalai Madaswamy Thirukkivil,
Vijayapathi Village,
Radhapuram Taluk, Tirunelveli District.
- .. Respondents in both petitions



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COMMON PRAYER: civil revision petitionS filed under article 227 of the Constitution of India to set aside the fair and decretal order passed in I.A.No.1 & 2 of 2022 in O.S.No.32 of 2016 dated 06.01.2023 on the file of the Sub Court, Valliyoor.

In both petitions:

For Petitioners : Mr.N.Vignesh

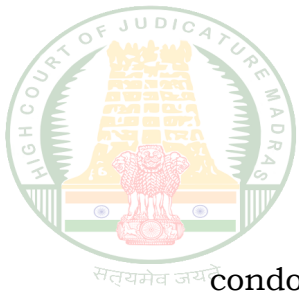
For Respondents : Mr.L.Siva
Govt. Advocate (Civil) for R1 to R3

Mr.A.Davil Oliver for
Mr.V.Chandrasekaran for R4

COMMON ORDER

The Civil Revision Petitions are filed challenging the common order passed by the trial Court dismissing the application filed by the petitioners seeking to condone the delay of 263 days in filing the petition to restore the suit and the application seeking restoration of the suit.

2.The petitioners/plaintiffs filed the suit seeking framing of a scheme in respect of the suit temple. The suit was dismissed for default on 03.03.2021. Thereafter, the petitioners filed an application on 20.12.2021 seeking restoration of the suit along with a petition to



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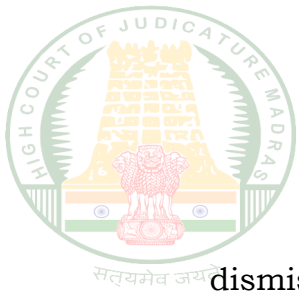
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condone the delay of 263 days. The said applications were dismissed by the trial Court. Aggrieved by the same, the petitioners have filed the present Civil Revision Petitions.

3. In the affidavit filed in support of the petition for condonation of delay, the petitioners stated that, owing to the outbreak of the COVID-19 pandemic during the relevant period, they were unable to appear before the Court and take immediate steps to restore the suit.

4. It is pertinent to note that, In re Cognizance for Extension of Limitation, Suo Motu Writ Petition (Civil) No. 3 of 2020, by order dated 10.01.2022 (reported in 2022(3) SCC 117) the Hon'ble Supreme Court directed that the period from 15.03.2020 to 28.02.2022 shall stand excluded for the purpose of computing the period of limitation. If the said excluded period is taken into account, as directed by the Hon'ble Supreme Court, there would be no delay at all in filing the petition for restoration of the suit. Consequently, there was no necessity for the petitioners to file a petition seeking condonation of delay.

5. The trial Court, without taking into consideration the orders passed by the Hon'ble Supreme Court extending the period of limitation on account of the COVID-19 pandemic, erroneously



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dismissed the petition for condonation of delay. The impugned common order is therefore liable to be set aside.

6. Accordingly, the common order passed by the trial Court is set aside. Both the Civil Revision Petitions are allowed. The trial Court is directed to take up the petition seeking restoration of the suit, restore the suit if it is otherwise in order, and thereafter proceed with the suit and dispose of the same in accordance with law. No costs. Consequently, the connected miscellaneous petition is closed.

23.07.2026

Index :Yes / No
Internet :Yes / No
NCC :Yes / No
skn
To

1.The Sub Court, Valliyoor.

2. The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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S.SOUNTHAR, J.

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