



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.03.2016

CORAM:

WEB COPY

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

C.R.P(MD)Nos.506 to 509 of 2016 (PD)

The Joint Commissioner/Executive Officer,
Arulmigu Dhandayuthapani Swamy Thirukovil,
Palani.

... Petitioner
in all the C.R.Ps.

Vs.

V.Pachaimuthu

... Respondent
in C.R.P.(MD)Nos.506 & 508 of 2016

1.Valliyammal
2.Karuppana Pillai
3.Palanimuthu
4.Subramani

... Respondents
in C.R.P.(MD)No.507 of 2016

S.Ramasamy Pillai

... Respondent
in C.R.P.(MD)No.509 of 2016

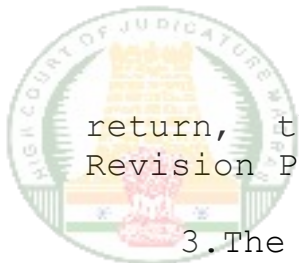
PRAYER: Civil Revision Petitions are filed, under Section 115 of Code of Civil Procedure, to set aside the order of the Learned District Munsif, dated 15.12.2015, in returning the affidavit and petition in E.P.S.R.Nos.8008 to 8011 of 2015 in O.S.No.505 of 1984, O.S.No.476 of 1996, O.S.No.151 of 1992 and O.S.No.455 of 1996 respectively, on the file of District Munsif Court, Palani.

For Petitioners : Mr.K.Govindarajan

C O M M O N O R D E R

The issues involved in all the three revision petitions are interlinked. Hence, common order is passed in all the three revision petitions.

2.The petitioner is the decree holder. He filed E.P.SR.Nos.8008 to 8011 of 2015 respectively, for execution of decree, dated 15.10.1984, 02.12.1996, 16.11.1992 and 07.02.1997 made in O.S.No.505 of 1984, O.S.No.476 of 1996, O.S.No.151 of 1992 and O.S.No.455 of 1996 and the same were returned by the learned District Munsif, Palani, making a query, with regard to limitation as Execution Petition, was filed after 12 years. Against that



return, the petitioner has come out with the present Civil Revision Petitions.

3.The learned counsel for the petitioner contended that as per Section 109 of Hindu Religious and Charitable Endowment Act, the provision of limitation Act, do not apply to the religious institutions in respect of interest in immovable property. The petitioner did not re-present the E.P.

4.In the circumstances, the petitioner is directed to re-present the E.P., and on such representation, the learned District Munsif, Palani, is directed to number the E.P., and consider the same on merits and pass orders in accordance with law.

5.In the result, the Civil Revision Petitions are disposed of. No costs.

Sd/-

Assistant Registrar(Crl.side)

/True copy/

Sub Assistant Registrar

To

The District Munsif , Palani.

+Four CC's to M/s.K.Govindarajan, Advocate in

SR.No.12055,12056,12057 and 12058

am

CSL/JGB-DP/18.03.2016/2P/6C

C.R.P (MD) Nos.506 to 509 of 2016 (PD)

03.03.2016