



W.M.P.(MD)No.18053 of 2022 &
Rev.Aplw(md)SR.No.59500 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **15.09.2023**

CORAM :

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

W.M.P.(MD)No.18053 of 2022

and

Rev.Aplw(md)SR.No.59500 of 2022

Rama.Suba Sethuraman

... Petitioner /
Petitioner

Vs.

1.Suba.Na.Ramanathan, S/o.Nataraja Iyer

2.The District Collector,
Sivagangai District.

3.The Joint Commissioner,
Hindu Religious and Charitable Endowments Board,
Sivagangai District.

4.The Superintendent of Police,
Sivagangai.

5.The Sivagangai Samasthanam,
Through its Manager,
Sivagangai District.

6.Subramanian, S/o.Pusalan

... Respondents/
Respondents

PRAYER IN W.M.P.(MD)No.18053 of 2022: Petition filed under Section 151 of C.P.C., seeking to grant leave for filing Review Petition against the order dated 30.06.2022, in W.P.(MD)No.13416 of 2022.



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PRAYER IN Rev.Aplw(md)SR.No.59500 of 2022: Review Application is filed under Order XLI of C.P.C., seeking to pass an order reviewing the order passed in W.P.(MD)No.13416 of 2022, dated 30.06.2022, on the file of this Court.

For Petitioner : Mr.T.Veerakumar
in both the W.M.P. &
Review Application

For R1 : Mr.VR.Shanmuganathan
in both the W.M.P. &
Review Application

ORDER

The petitioner, who is the third party, has filed this petition seeking to grant leave for filing Review Petition against the order dated 30.06.2022, passed in W.P.(MD)No.13416 of 2022.

2. The learned counsel for the petitioner submits that the above said Writ Petition has been filed without adding the petitioner as a party. He further submits that the sixth respondent had been set up by the petitioner therein and for a civil dispute, he had obtained an order as though he had got some Panchangam right. He does not dispute the Panchangam right of the petitioner. He further submits that the fifth respondent/Samasthanam had made a statement that Panchangam has



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been recited by the petitioner's father and grandfather and as on date, no complaint has been received against the petitioner and he is rendering his service to the Temple is not proper. He further submits that by obtaining the order dated 30.06.2022, the petitioner therein is projecting that he claims the exclusive right of reciting Panchangam.

3. This Court on the submissions of the petitioner as well as the affidavit filed, finds that the apprehension of the petitioner is misconceived. This Court had only recorded the submissions of each of the respondents and this Court is very certain that a counsel had appeared on behalf of the sixth respondent and made submission while hearing the case, but, the counsel's name was not recorded in the order copy that does not mean that none appeared on behalf of the sixth respondent, when this Court had categorically recorded in Paragraph No.11 of the order about the submission made by the sixth respondent. Likewise, the learned Standing Counsel for the fifth respondent's submission has been recorded in Paragraph No.10 of the order, which now the petitioner wants to give a different interpretation based on the R.T.I. reply received by him, dated 13.07.2022.



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4. This Court had passed order on 30.06.2022 and the RTI reply is dated 13.07.2022 and signed on 21.07.2022, much after the order has been passed by this Court. Further, the petitioner and the first respondent herein belong to the same family and the first respondent's right of Panchangam is not disputed. If the petitioner's right of reciting Panchangam is restrained, the petitioner to approach the fifth respondent/ Samasthanam and the jurisdictional Joint Commissioner, to get declaration and not by filing the review petition. In view of the same, this Court is not inclined to grant leave to him.

5. In such view of the matter, this Petition is dismissed. Consequently, the Review Application, which is in SR stage, is rejected. No costs.

NCC : Yes/No
Internet : Yes/No
Index : Yes/No
smn2

15.09.2023

To

1. The District Collector,
Sivagangai District.



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2.The Joint Commissioner,
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4.The Manager,
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