



WEB COPY



C.R.P.(PD).No.1392 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.03.2024

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

C.R.P.(PD).No.1392 of 2024
and C.M.P.No.7442 of 2024

1.R.Srinivasan

2.R.Radhakrishnan

3.B.Gopalakrishnan

4.B.Selvakandhan

... Petitioners

VS

1.V.P.Mahalingam

2.The District Collector,
Collector Office, Salem – 1, Salem (TK),
Salem (Dist).

3.The Revenue Divisional Officer,
Collector Office, Salem -1.
Office at Collector Office,
Salem (TK), Salem District.

4.The Sub Collector,
Dist. Most Backward Class,
Welfare Officer,
Collector Office, Salem – 1.
Office at Collector Office,
Salem (TK), Salem (Dist.)



C.R.P.(PD).No.1392 of 2024

5.The Tahsildar,
Salem West Taluk Office,
Office at Salem West Taluk Office,
Sooramangalam, Salem-5. Salem (TK), Salem (Dist.)

6.The Commissioner HR & CE,
Uthamar Gandhi Salai, Chennai – 600 034.

7.The Joint Commissioner,
HR & CE Salem – 1 .
Arulmighu Kottai Mariyamman
Koil Complex, Kottai,
Salem-1, Salem (TK), Salem (Dist.)

8.The Assistant Commissioner,
H.R. & C.E., Salem – 1
Office at Kottai Mariyamman Koil
Complex, Omalur, Omalur Taluk,
Salem District.

9.The Inspector,
H.R. & C.E., Omalur,
Omalur Taluk, Office at Omalur,
Salem District.

... Respondents

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India, praying to set aside the fair and decreetal order dated 20.11.2023 in I.A.No.3 of 2023 in O.S.No.660 of 2018 on the file of the IV Additional District Munsif Judge at Salem.

For Petitioners : Ms.S.Sasikala

For R2 to R9 : Mr.C.Sathish
Government Advocate

ORDER



C.R.P.(PD).No.1392 of 2024

The Civil Revision Petition is filed challenging the order passed by the Trial Court allowing the application filed by the 1st respondent seeking his impleadment in the main suit.

2. The petitioners herein filed a suit for permanent injunction against the respondents 2 to 9 and the same is pending. The suit is filed in respect of the property belongs to Arulmigu Chendraya Perumal Temple situated at Sivadhapuram Village, Salem Taluk, Salem District. The 1st respondent herein claiming himself as a Hereditary Trustee of the suit temple filed the impleading application.

3. In the affidavit filed in support of the impleading application, it was stated by the 1st respondent that he came to know about the suit filed by the petitioners now only. He also stated that he initiated proceedings before the Officials of the HR and CE Department for establishing his right of trusteeship and the same is pending.

4. In view of the fact the 1st respondent herein claiming himself as a



C.R.P.(PD).No.1392 of 2024

Hereditary Trustee of the temple to which the suit property is endowed and the proceedings initiated by the 1st respondent in respect of his trusteeship right is already pending before the Officials of the Hindu Religious and Charitable Endowment Department, who are also made as a party to the lis, the Court below rightly observed that the presence of the 1st respondent is necessary to have effective adjudication of the case. Therefore, I do not find any error in the order passed by the Trial Court.

5. Accordingly, the Civil Revision Petition stands dismissed. Having regard to the fact the suit is of the year 2018, the Trial Court is directed to dispose of the suit as expeditiously as possible. No costs. Consequently, the connected civil miscellaneous petition is closed.

28.03.2024

Index : Yes / No
Speaking order : Yes / No
Neutral Citation : Yes / No
dm



C.R.P.(PD).No.1392 of 2024

To

WEB COPY

- 1.The IV Additional District Munsif Judge, Salem.
- 2.The District Collector,
Collector Office, Salem – 1, Salem (TK), Salem (Dist).
- 3.The Revenue Divisional Officer,
Collector Office, Salem -1, Office at Collector Office,
Salem (TK), Salem District.
- 4.The Sub Collector,
Dist. Most Backward Class, Welfare Officer,
Collector Office, Salem – 1.
Office at Collector Office, Salem (TK), Salem (Dist.)
- 5.The Tahsildar,
Salem West Taluk Office, Office at Salem West Taluk Office,
Sooramangalam, Salem-5. Salem (TK), Salem (Dist.)
- 6.The Commissioner HR & CE,
Uthamar Gandhi Salai, Chennai – 600 034.
- 7.The Joint Commissioner,
HR & CE Salem – 1 , Arulmighu Kottai Mariyamman
Koil Complex, Kottai, Salem-1, Salem (TK), Salem (Dist.)
- 8.The Assistant Commissioner,
H.R. & C.E., Salem – 1, Office at Kottai Mariyamman Koil
Complex, Omalur, Omalur Taluk, Salem District.
- 9.The Inspector,
H.R. & C.E., Omalur,
Omalur Taluk, Office at Omalur,
Salem District.



WEB COPY



C.R.P.(PD).No.1392 of 2024

S.SOUNTHAR, J.

dm

C.R.P.(PD).No.1392 of 2024

28.03.2024