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REV.APLW.(MD)No.172 of 2024

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 11.09.2024**

**CORAM**

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

**REV.APLW.(MD)No.172 of 2024 IN**  
**W.P.(MD)No.8007 of 2024 and**  
**W.M.P.(MD)Nos.18241 & 18244 of 2024**

M.Muthukumar

... Petitioner /Writ Petitioner

Vs.

1. The District Collector,  
Sivagangai District.
2. The Tahsildar,  
Ilaiyankudi Taluk, Ilayankudi,  
Sivagangai District.
3. The Inspector of Police,  
O/o.Inspector of Police,  
Ilayankudi police station,  
Sivagangai District.
4. M.Venkatesan Chettiar,  
Hereditary Trustee,  
Arulmigu Muthumariyamman Thayamangalam  
Thirukovil, Ilayankudi Taluk,  
Sivagangai District.
5. K.Selvi
6. Pothum Ponnu & Mani

... Respondents/Respondents



**PRAYER :** Review Petition filed under Order 47 Rule 1 r/w. Section 114 of CPC., against the judgment dated 05.04.2024 passed by this Court in W.P.(MD)No.8007 of 2024.

For Petitioner : Mr.D.Nallathambi

For R-1 & R-2 : Mr.K.Balasubramani,  
Special Government Pleader.

For R-3 : Mr.B.Thanga Aravindh,  
Government Advocate.

For R-4 : Mr.T.S.Mohamed Mohideen

For R-5&R-6 : Mr.S.Malaikani

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### **JUDGMENT**

The petitioner in W.P.(MD)No.8007 of 2024 seeks review of the order dated 05.04.2024. Paragraph No.2 of the said order reads as follows:-

“2.The issue raised in this writ petition is who can officiate as the poojari for the petition mentioned temple. The Writ Court cannot go into such factual disputes. The only relief that I can grant is that the authorities should keep away and that it is for the parties herein to work out their rights in the manner known to law before the



jurisdictional Civil Court or before the authorities under Section 63 of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959.”

2. The learned counsel appearing for the review applicant points out that the case on hand pertains to the appointment of Poojari for the temple. It is the trustee who is competent to make appointment under Section 55 of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959. The question of going before the Court or the authority under Section 63 of the Act does not arise at all.

3. I fully endorse the stand taken by the review applicant. The issue is left to the discretion of the fourth respondent. This review application is disposed of on these terms. No costs. Consequently, connected miscellaneous petitions are closed.

**11.09.2024**

Index : yes/No  
Internet: Yes/No  
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**G.R.SWAMINATHAN,J.**

PMU

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1. The District Collector,  
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**W.P.(MD)No.8007 of 2024**

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