



**C.R.P(MD)Nos.2343 to 2345 of 2024**

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

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**DATED : 18.10.2024**

**CORAM**

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

**C.R.P(MD)Nos.2343 to 2345 of 2024**

**and**

**C.M.P(MD)Nos.13280 to 13282 of 2024**

**C.R.P(MD)No.2343 of 2024:**

Valliyur Subramania Swamy Temple,  
Represented by its  
Executive Officer  
D.Mariyappan,  
North Valliyoor,  
Radhapuram Taluk,  
Tirunelveli District.

... Petitioner / Petitioner /  
Plaintiff

**Vs.**

1.C.J.V.Daniel,  
Parish Priest,  
C.S.I.Church,  
Valliyoor, Radhapuram Taluk,  
Tirunelveli District.

2.Tirunelveli C.S.I Diocese Trust Association,  
Through its Secretary,  
No.5, Saint Teacher Street,



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**C.R.P(MD)Nos.2343 to 2345 of 2024**

Palayangottai Taluk,  
Tirunelveli District.

... Respondents /  
Respondents /  
Defendants

Prayer : Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the fair and decreetal order dated 15.03.2024 in I.A.No.5 of 2024 in O.S.No.27 of 2018 on the file of Sub Court Judge, Valliyur.

For Petitioner : Mr.V.R.Shanmuganathan

For Respondents : Mr.P.P.Alwin Balan for R.2

R.1 – Died

**C.R.P(MD)No.2344 of 2024:**

Valliyur Subramania Swamy Temple,  
Represented by its  
Executive Officer  
D.Mariyappan,  
North Valliyoor,  
Radhapuram Taluk,  
Tirunelveli District.

... Petitioner /  
Petitioner /  
Plaintiff

Vs.

1.C.J.V.Daniel,  
Parish Priest,  
C.S.I.Church,  
Valliyoor, Radhapuram Taluk,  
Tirunelveli District.



**C.R.P(MD)Nos.2343 to 2345 of 2024**

2.Tirunelveli C.S.I Diocese Trust Association,  
Through its Secretary,  
No.5, Saint Teacher Street,  
Palayangottai Taluk,  
Tirunelveli District.

... Respondents /  
Respondents /  
Defendants

Prayer : Civil Revision Petition filed under Article 227 of the  
Constitution of India, to set aside the fair and decreetal order dated  
15.03.2024 in I.A.No.6 of 2024 in O.S.No.27 of 2018 on the file of Sub  
Court Judge, Valliyur.

For Petitioner : Mr.V.R.Shanmuganathan

For Respondents : Mr.P.P.Alwin Balan for R.2

R.1 – Died

**C.R.P(MD)No.2345 of 2024:**

Valliyur Subramania Swamy Temple,  
Represented by its  
Executive Officer  
D.Mariyappan,  
North Valliyoor,  
Radhapuram Taluk,  
Tirunelveli District.

... Petitioner /  
Petitioner / Plaintiff

Vs.

1.C.J.V.Daniel,  
Parish Priest,  
C.S.I.Church, Valliyoor,  
Radhapuram Taluk,  
Tirunelveli District.



**C.R.P(MD)Nos.2343 to 2345 of 2024**

2.Tirunelveli C.S.I Diocese Trust Association,  
Through its Secretary,  
No.5, Saint Teacher Street,  
Palayangottai Taluk,  
Tirunelveli District.

... Respondents /  
Respondents /  
Defendants

Prayer : Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the fair and decreetal order dated 15.03.2024 in I.A.No.7 of 2024 in O.S.No.27 of 2018 on the file of Sub Court Judge, Valliyur.

For Petitioner : Mr.V.R.Shanmuganathan

For Respondents : Mr.P.P.Alwin Balan for R.2

R.1 – Died

### **COMMON ORDER**

Heard both sides.

2.The plaintiff in O.S.No.27 of 2018 on the file of Sub Court, Valliyur is the revision petitioner herein. The defendants took the stand that the suit has been instituted by the Executive Officer without proper permission.



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**WEB COPY** 3.Now the said permission has been obtained. The plaintiff wants to reopen the suit for the purpose of marking the said document. He also wants to mark the property registered under Section 29 of the HR & CE Act. These are only formal matters. As a result, the matters is not going to be prolonged.

4.In this view of the matter, the impugned orders are set aside. The Court below is directed to dispose of O.S.No.27 of 2018 on merits and in accordance with law within a period of six months from the next hearing date.

5.These Civil Revision Petitions are allowed. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

**18.10.2024**

NCC : Yes/No  
Index : Yes / No  
Internet : Yes/ No  
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***C.R.P(MD)Nos.2343 to 2345 of 2024***

**G.R.SWAMINATHAN, J.**

MGA

To

The Sub Court,  
Valliyur.

C.R.P(MD)Nos.2343 to 2345 of 2024  
and  
C.M.P(MD)Nos.13280 to 13282 of 2024

18.10.2024