

S.A. No. 212 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated: 18.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE K. KUMARESH BABU

S.A.No. 212 of 2018

D. Rangasamy

... Appellant

Vs.

1.Arulmigu Amman Temple, Kongarpalayam.

2.Arulmigu Vinayakar Temple, Kongarpalayam.

3.K.V. Balasubramaniam

... Respondents

PRAYER: Second Appeal is filed under Section 100 of Civil Procedure Code, to set aside the impugned judgment and decree dated 14.03.2017 passed in A.S. No.33 of 2012 on the file of the Sub Court, Gobichettipalayam upholding the decree and judgment passed in O.S.No.330 of 2008 dated 25.07.2012 on the file of the District Munsif, Gobichettipalayam.

For Appellant : Mr. K. Mukund Rao

For Respondents : Mr. S. Kaithamalai Kumaran for R3
No Appearance for R1 & R2



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J U D G M E N T

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The suit has been filed for various relief including the right of worship and offering poojas to the deity in respect of first and second respondents temple. Such relief sought for by the respondents cannot be entertained by the Civil Court, as such right can be established only under Section 63 of Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959. Jurisdiction of the Civil Court had been duly excluded under Provisions of the Tamil Nadu Hindu Religious and Charitable Endowments Act.

2. In such view of the matter, the suit filed by the first and second respondents itself ought to have been rejected.

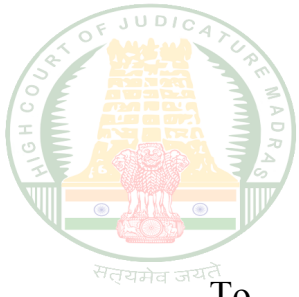
3. In fine, the Second Appeal stands allowed and the suit stands dismissed. No costs.

18.07.2025

Index : Yes / No

Neutral Citation : Yes / No

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1.The Sub Court, Gobichettipalayam.

2.The District Munsif, Gobichettipalayam.



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K. KUMARESH BABU, J.

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