

C.R..P.(MD).No.407 of 2021

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.06.2025

CORAM:

**THE HONOURABLE MR.JUSTICE M.DHANDAPANI**

C.R.P.(PD)(MD)No.407 of 2021  
and  
C.M.P.(MD)No.2223 of 2021

- 1.J.Saravanan (died)
- 2.Muruganantham
- 3.Kayalvizhi
- 4.Sarabeshwaran
- 5.Manoranjitham

... Petitioners

*[Petitioners 3 to 5 were brought on record as legal heirs of the deceased first petitioner vide order dated 13.12.2024]*

Vs.

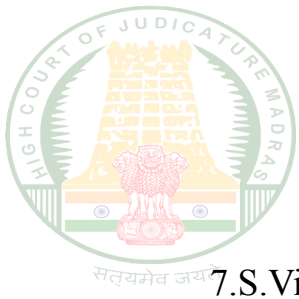
1.The Idol of Arulmigu Kalyanavenkataramanaswamy Temple,  
Rep by its Assistant Commissioner/Executive Officer,  
Thanthonimalai, Karur Taluk,  
Karur District.

2.The Settlement Tahsildar III Trichy,  
Rep by the Assistant Settlement Officer,  
Cheapak, Chennai-5.

Matchanaicker (died)

- 3.M.Palanivel
- 4.P.Kannadasan
- 5.M.Manju
- 6.J.Kayalvizhi

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7.S.Vijayalakshmi  
8.V.Subramani  
9.G.Prabavathi  
10.P.Ravi  
11.Subramani

... Respondents

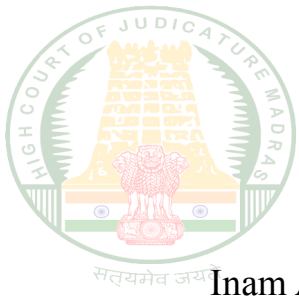
**PRAYER:** Civil Revision Petition - filed under Article 227 of the Constitution of India, to strike off the Civil Miscellaneous Appeal in C.M.A.No.1 of 2021 before the Principal Sub Court, Karur (Minor Inam Tribunal, Karur).

For Petitioner : Mr.V.Meenakshisundaram  
For R1 : Mr.M.Saravanan  
For R2 to R11 : No Appearance

### **ORDER**

This Civil Revision Petition is filed seeking to strike off the plaint in C.M.A.No.1 of 2021 pending before the Principal Sub Court, Karur.

2.The learned counsel for the petitioners submits that the first and second petitioners are the eighth and ninth respondents in C.M.A.No.1 of 2021 on the file of the Sub Court Karur. The settlement Tahsildar granted patta in favour of the petitioners by conducting settlement proceedings under



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Inam Abolition Act, 1963. Challenging the settlement patta granted in favour of the petitioners, the temple filed an appeal before the Lower Appellate Court in C.M.A.No.1 of 2021. Seeking to strike off the plaint in the said appeal on the ground that the appeal is filed after a lapse of several decades, the present Civil Revision Petition is filed.

4.The learned counsel for the petitioner further submits that during the pendency of the civil miscellaneous appeal, the very same Temple filed a suit for recovery of possession from the petitioners and others in O.S.No.14 of 2019 on the file of the Additional District /Fast Track Mahila Court, Karur and the same was dismissed on 29.03.2019. Challenging the same, the Temple has preferred an appeal before this Court in A.S.(MD)No.118 of 2020 and the same was also allowed. As against the said judgment and decree, the petitioners preferred an appeal before the Hon'ble Supreme Court in SLP (Civil) No.13357 of 2024 and the same is pending.

5.The learned counsel for the petitioner fairly submits that in view of the subsequent development, this Civil Revision Petition shall be disposed of by directing the Lower Appellate Court to proceed with the Civil



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Miscellaneous Appeal in accordance with law. However, he seeks to defer passing of final judgment alone.

6.The facts in the present case are not in dispute. Admittedly, the core issue between the petitioners and the respondents is pending before the Hon'ble Supreme Court for consideration in SLP (Civil)No.13357 of 2024. Hence, this Court directs the Principal Sub Court, Karur to dispose of C.M.A.No.1 of 2020 on merits and in accordance with law, however, the decision to be taken in the Civil Miscellaneous Appeal is subject to the result of the Special Leave Petition pending before Hon'ble Supreme Court.

7.Accordingly, this Civil Revision Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

**10.06.2025**

NCC : Yes/No  
Index : Yes / No  
Internet : Yes / No  
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To

- 1.The Principal Sub Court, Karur  
(Minor Inam Tribunal, Karur).
2. The Section Officer,  
Vernacular Records,  
Madurai Bench of Madras High Court,  
Madurai.



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**M.DHANDAPANI,J.**

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