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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.04.2025

CORAM

THE HON'BLE MR. JUSTICE R.VIJAYAKUMAR

C.M.P(MD)No.6872 of 2025

in

C.R.P.(MD)SR.No.35579 of 2025

and

C.R.P.(MD)SR.No.35579 of 2025

1.Navarathinam

2.Selvaram

3.Mahesh Barathi

...Revision Petitioners/Third Parties

Vs

1.P.C.R.Chellaperumal Poosari

2.S.Ramar Poosari

3.S.Jegatheeswaran Poosari

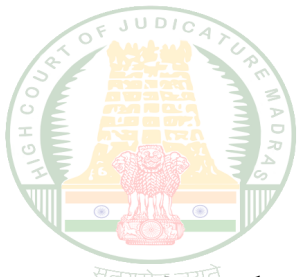
S.Karuppasamy Poosari (Died)

K.Renganathan Poosari (Died)

4. K.Murugesan Poosari

5. K.Marimuthu Poosari

C.Sethulingam Poosari (Died)



6. R.Soundarrajan Poosari
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7. R.Ramasubbu Poosari

8. S.R.Balamurugan Poosari

9. S.Ramanujam Poosari

10. R.Maharajan Poosari

M.Ramasamy Poosari (Died)

11. M.Rajendran Poosari

12. M.Chandran Poosari

M.Thangam Poosari (Died),

13. M.Perumal Poosari

14. M.Balamurugan Poosari

15. M.Packiaraj Poosari

16. M.Kadarkarai Poosari

17. M.Sakthivel Poosari

18. P.C.R.Ramamurthy Poosari

19. P.Thangam Poosari

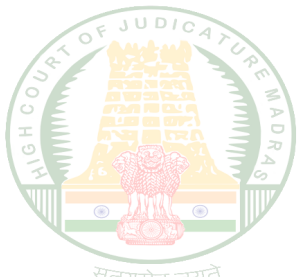
20. P.Marimuthu Poosari

V.Ramar @ Ramamurthy Poosari(Died),

21. V.Marimuthu Poosari

22. M.Ramamurthy Poosari

23. M.Muthuramalingam Poosari



24. M.Ramachandran @ M.Chinnaramasamy Poosari
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25. R.Ariram Poosari
L.Muthuraman Poosari (Died)

26. M.Jayaraman Poosari

27. M.Ananthajayanan Poosari

28. M.Ganesan Poosari

29.M.Jothi Anandha GanesanPoosari

30. M.Balamurugan Poosari

31. A.Ramamurthy Poosari

32. A.Ganapathiraman Poosari

33. A.Tharmaraj Poosari

34. S.Kathiresan Poosari

35. S.Ganesan Poosari

36. S.Ramar Poosari

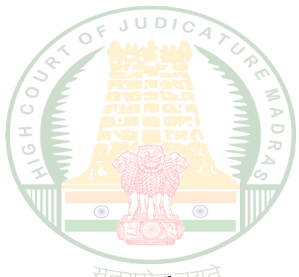
R.Marimuthu Poosari, (Died)

S.Murugan @ Sakkarai Poosari

S.Tharmalingam Poosari (Died)

A.Rajendran Poosari (Died)

37. The Commissioner,
Hindu Religious and Charitable Endowment,
Nungumbakkam High Road, Chennai.



38. The Joint Commissioner, Hindu Religious and Charitable Endowment,
B1 Road, Ellies Nagar, Madurai.

39. T.Ramachandran Poosari

40. T.Kathiresan Poosari
T.Muthuraman Poosari (Died)

41. T.Balasubramanian Poosari

42. T.Marimuthu Poosari

43. T.Mariammal

44. T.Jeyalakshmi

45. T.Uma Parvathi

46. T.Gomathi

47. T.Muthulakshmi
Muthumari (Died)

48. Mariammal

49. Porkodi @ Ramalakshmi

50. R.Jeyavelan Poosari

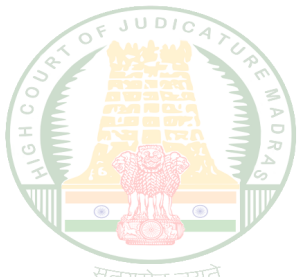
51. Chitra

52. S.Chokkalingam Poosari
Marimuthu (Died),

53. Backialashmi

54. R.Ganesan

55. Ramalakshmi



56. Mareeswari
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Jeyalakshmi(Died),

57. Ramachandran Poosari

58. Mareeswari

Umaparvathi (Died),

59. Ramamoorthi

60. Marimuthu

61. Sivaraman

62. Muthumari

63. Sujatha

64. Rishi

65. Muthulakshmi

66. Kannan

67. Arun

68. Bharathi

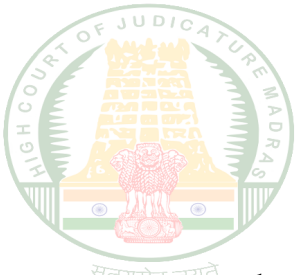
69. Kamala

70. Padmavathi (Minor)

(Rep. by R69-Kamala)

71. Rammohan (Minor)

(Rep. by R69-Kamala)



72. M.Muthuramalingam

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73.M.Thiruppathiraj

74.The Assistant Commissioner/Executive Officer, Mariamman Temple,
Irukkangudi, Sattur Taluka,
Virudhunagar District.
to 89

...Respondents 2 to 90/Defendants 1

PRAYER: Civil Miscellaneous Petition is filed under Section 151 of C.P.C., to grant Leave to the petitioner to file an revision as against the judgment and decree dated 27.03.2025, in O.S.No.34 of 2021, on the file of the learned Sub Judge, Sattur.

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, to set aside the fair and decretal order dated 27.03.2025 in O.S.No. 34 of 2021, on the file of the learned Subordinate Court, Sattur.

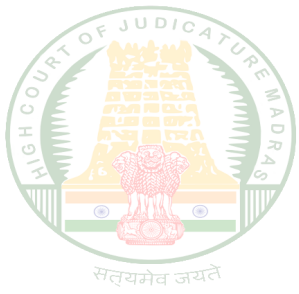
For Petitioners : Mr.K.Chellapandian
Senior Counsel
for Mr.AL.Kannan

For Respondents : Mr.A.K.Baskaran Pandian
for Mr.M.Kannan

Mr.VR.Shanmuganathan for R74

Mr.N.Dilipkumar for R28

* * * * *



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ORDER

Third parties to O.S.No.34 of 2021, on the file of the Sub Court, Sattur, have filed the present petition seeking leave of the Court to challenge the judgment and decree passed in O.S.No.34 of 2021, dated 27.03.2025.

2.According to the learned Senior Counsel appearing for the revision petitioners, the Civil Court lacks jurisdiction and the prayer sought for in the suit ought not to have been granted by the trial Court. He has relied upon Sections 55(2) and 108 of the Hindu Religious and Charitable Endowments Act, 1959, in support of his contentions.

3.In view of the judgments of the Hon'ble Supreme Court reported in **2019 (9) SCC 538 and 2022 (10) SCC 477**, this Court is not inclined to entertain the Civil Revision Petition in view of the availability of the statutory appeal remedy under C.P.C.

4.According to the learned Senior Counsel appearing for the revision petitioners, the other defendants in the suit have filed A.S.No.39 of 2025, in which the stay petition has also been filed seeking to stay the judgment and decree of the trial Court. (*)*"The first appellate Court is directed to consider the stay petition and pass orders within a period of 30(thirty) days from the date of receipt of a copy of this order."*



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5. Accordingly, this Civil Miscellaneous Petition stands rejected. Consequently, the Civil Revision Petition is rejected in SR stage itself.

No costs.

Sd/-

24.04.2025

(*)Corrected as per the order of this Court dated 10.06.2025 in CMP(MD) No.6872 of 2025 in CRP(MD) SR.No.35579 of 2025 and CRP(MD) SR.No.35579 of 2025.

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Sub Assistant Registrar
(CS - I/II/III/IV)

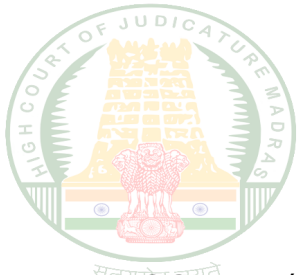
RJR

To

The learned Sub Judge, Sattur.

Copy to:-

The Section Officer, (2 Copies)
VR Section,
Madurai Bench of Madras High Court, Madurai.



+1 CC to M/s.N.Dilip Kumar, Advocate (SR-27592[F]dated 25/04/2025)
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+1 CC to M/s.VR.Shanmuganathan, Advocate (SR-33329[F] dated 11/06/2025)

C.M.P(MD)No.6872 of 2025

in

C.R.P.(MD)SR.No.35579 of 2025

24.04.2025

TS (11/06/2025) 9P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.