



C.R.P.(MD)No.1770 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.07.2025

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CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

C.R.P(MD)No.1770 of 2025

and

C.M.P(MD)No.9653 of 2025

Arulmigu Kasi Viswanathar Thirukoil,
Tenkasi,
Rep. through its Executive Officer,

... Petitioner

Vs.

1.S.Akilandeswari
P.Muthammal (Died)
2.M.Meenatchi
3.M.Nallatchiyammal
4.M.Veerammal
5.S.Vellaiammal
6.K.Meena
7.S.Senbagavalli
K.Mariammal(Died)
8.S.Lakshmi
9.M.Piramaatchi
10.P.Thirumalaiyammal
11.P.Kuttypappa
12.S.Murugeswari
13.M.Muthulakshmi
14.M.Sundarammal
15.U.Seyad Ali Fathima
16.K.Arumugathammal
17.S.Saravanan @ Arumugam
18.K.Subbulakshmi
19.N.Ayyammal
20.A.Maheswari
K.Isakki Ammal (Died)



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21.R.Pathirakaliammal
22.M.Annathai
23.K.Veerapandi
24.Minor K.Nagammal
25.K.Kuthaalingam
26.K.Marimuthu
27.K.Veeralakshmi
28.K.Senbagaraj
29.The Tahsildar,
Tahsildar Office,
Tenkasi.

... Respondents

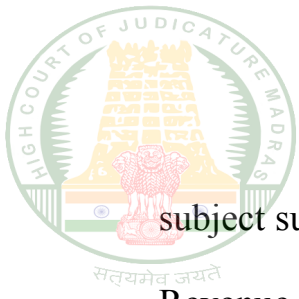
PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India, to set aside the fair order and decreetal order dated 03.06.2025 made in I.A.No.22 of 2025 in O.S.No.76 of 2012, on the file of the learned Sub-Judge, Tenkasi.

For Petitioner : Mr.M.Muthugeethayan
For R1 to R28 : Mr.M.P.Senthil
for Mr.Mohammed Haniff
For R29 to R30 : Mr.B.Saravanan

ORDER

This Civil Revision Petition is filed seeking to set aside the fair and decreetal order dated 03.06.2025 made in I.A.No.22 of 2025 in O.S.No.76 of 2012, on the file of the learned Sub-Judge, Tenkasi.

2. The case of the petitioner is that the respondents 1 to 22 filed a suit in O.S.No.76 of 2012 before the Principal Sub-Court, Tenkasi for declaration and permanent injunction. They averred in the plaint that the



subject suit properties were allotted by way of assignment under Order 21 of the Revenue Standing Order, however, their enjoyment was allegedly prevented by the petitioner's temple. Thereby, they filed a suit before the trial Court for declaration and permanent injunction. After completion of the arguments, while the trial Court posted the matter for clarification, the respondents/plaintiffs filed an amendment petition in I.A.No.22 of 2025 for amending the suit schedule properties. The said petition was allowed by the learned Principal Sub-Judge, Tenkasi. Challenging the same, the petitioner/temple filed the present Civil Revision Petition.

3. The learned counsel appearing for the petitioner would submit that the grievance of the respondents/plaintiffs is that instead of survey numbers, they mentioned as block numbers, for which, they sought for amendment. Even in the amendment in except item Nos.6 to 11 and 15 to 20, all other suit schedule properties are not amended properly, again the error crept in the suit schedule properties, which will lead to deprive the temple to take a defence before the trial Court. On the sole ground only, the petitioner has filed the present Civil Revision Petition and prays for allowing the Civil Revision Petition.



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4. The learned counsel appearing for the respondents would submit that even after the amendment, there was an error in the survey numbers and block numbers in the suit schedule properties as mentioned by the learned counsel for the petitioner/temple. In view of the above, this Court may set aside the order made in I.A.No.22 of 2025 dated 03.06.2025 and permit the respondents/plaintiffs to file a fresh amendment petition within a period of one week.

5. Considering the above facts, this Civil Revision Petition is allowed and the order passed by the learned Principal Sub-Judge, Tenkasi dated 03.06.2025 is set aside. The respondents/plaintiffs are permitted to file a fresh amendment petition within a period of one week from the date of receipt of a copy of this order. The petitioner is at liberty to file a counter and to raise all the defence available to them before the trial Court including the limitation and to file the additional documents, if any, as per the Civil Procedure Code. No costs. Consequently, connected miscellaneous petition is closed.

29.07.2025

Index : Yes/No
Internet : Yes / No
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To

- 1.The Sub-Court,
Tenkasi.
- 2.The Section Officer,
Vernacular Records,
Madurai Bench of Madras High Court,
Madurai.



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M.DHANDAPANI,J.

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