BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.08.2025

CORAM

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

Rev. Aplw(MD)No.4 of 2025
and
W.M.P(MD) No.1245 of 2025
in
W.P(MD) No.14280 of 2014

The Executive Officer,
Arul Mighu Meenakshi
Sundareswarar Temple,
Andipatti – 625 001. ...Applicant/3rd Respondent

- Vs-

1. T.Malayappan ... 1st Respondent/Petitioner

2. The Tahsildar,
Office of the Tahsildar,
Andipatty Taluk, Andipatty – 625 512,
Theni District.

3. Head Quarters Deputy Tahsildar,
Office of Tahsildar,
Andipatty Taluk,
Andipatty – 625 512
Theni District. ... Respondents 2 and 3/
Respondents 1 and 2

PRAYER: Review Petition is filed under Article 226 of Constitution of India r/w Section 114 of C.P.C., praying this Court to review the order dated 04.08.2022 passed by this Court in W.P(MD) No.14280 of 2014 by allowing the Review Application.

For Petitioner	:	Mr.P.Subbaraj Special Government Pleader
For R1	:	Mr.M.Murugan
For R2 and R3	:	M/s.D.Farjana Ghoushia Special Government Pleader

ORDER

The present Review Application has been filed by the third respondent in the Writ Petition seeking to review the order passed by this Court dated 04.08.2022 made in W.P(MD) No.14280 of 2014, wherein this Court has directed the Revenue officials to retain the name of the petitioner as a service inam holder in the patta.

2. The Temple was granted liberty to initiate proceedings under Section 41 of the Hindu Religious Charitable and Endowments Act, and till orders have been passed by the officials under Section 41 of the Hindu Religious Charitable and Endowments Act, there was a direction to retain the name of the petitioner in the revenue records as a service inam holder.

3. The said Review Application has been filed by the Executive Officer of the Temple contending that the Hindu Religious Charitable and Endowments Department officials have already approached the Sub Collector, Periyakulam and an order came to be passed on 16.03.2020. This order was put to challenge by some of the persons who are in possession and the appeal was also dismissed by the District Revenue Officer, Theni, on 03.11.2020. These two orders were not brought to the notice of this Court while passing final orders in the writ petition. Hence, the third respondent in the Writ Petition seeks to review the order passed by this Court.

4. Per contra, the learned counsel appearing for the first respondent /writ petitioner submits that neither himself nor his father received any notice from the Sub Collector or from the District Revenue Officer relating to these proceedings. Hence, the orders passed therein cannot be relied upon by the Temple. He further submits that his father has passed away 15 years back and therefore, without hearing him those orders could not have been passed by the authority.

5. In view of the above facts it is clear that neither the petitioner nor his father was heard before passing of orders by the Sub Collector, Periyakulam, or by the District Revenue Officer, Theni. In such circumstances, the order passed by this Court on 04.08.2022 cannot be reviewed.

6. The third respondent Temple is at liberty to approach the Revenue Officials again and after issuing notice to the writ petitioner and other persons interested, if any order is passed in favour of the Temple, the Review Application can be revived.

7. Accordingly, this Review Application stands closed. There shall be no order as to costs. Consequently connected Miscellaneous Petition stands closed.

13.08.2025

Index : Yes/No
Internet : Yes/No
NCC : Yes/No
ebsi

To

1. The Tahsildar,
   Office of the Tahsildar,
   Andipatty Taluk,
   Andipatty – 625 512,
   Theni District.

2. Head Quarters Deputy Tahsildar,
   Office of Tahsildar,
   Andipatty Taluk,
   Andipatty – 625 512
   Theni District.

R.VIJAYAKUMAR,J.

ebsi

Rev. Aplw(MD)No.4 of 2025
and
W.M.P(MD) No.1245 of 2025
in
W.P(MD) No.14280 of 2014

13.08.2025