



WEB COPY

CRP Nos.1499 & 1500 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-03-2026

CORAM

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

CRP Nos.1499 & 1500 of 2026 &

CMP.Nos.7134 & 7136 of 2026

1. Thriumurthy (Died), Vadivel (Died) 1.Sakthivel
S/o. Late Thirumurthy,
Res. at Kallipalayam,
Ponnapuram Village,
Dharapuram Taluk,
Tiruppur District.
2. Kaliyammal
W/o. Late Vadivel,
Res. at Kallipalayam,
Ponnapuram Village,
Dharapuram Taluk,
Tiruppur District.
3. Magesh Alias Mageshwaran
S/o. Late Vadivel
Res. at Kallipalayam,
Ponnapuram Village,
Dharapuram Taluk,
Tiruppur District.
4. Bala Subramani
S/o. Late Vadivel,
Res. at Kallipalayam,
Ponnapuram Village,
Dharapuram Taluk,
Tiruppur District.

..Petitioner(s)
in both petitions

Vs



1. The Assistant Commissioner
HR and CE,
Tiruppur.
2. The District Revenue Officer /Special Officer
Temple Lands,
HR and CE,Coimbatore.
3. The Executive Officer
A/m. Kasi Viswanathar and Varadaraja Perumal
Temple,
Ponnapuram,
Dharapuram Taluk.
4. The District Collector
Tiruppur.
5. The District Revenue Officer
Office of the District Collectorate,
Tiruppur.
6. The Revenue Divisional officer
Dharapuram
7. The Tahsildar
Dharapuram.

..Respondent(s)
in both petitions

Prayer : Civil Revision Petitions filed under Article 227 of Constitution of India to set aside the Fair and Decretal Order dated 04.02.2026 passed in IA Nos.23 & 24 of 2025 in OS No. 214 of 2011 on the file of the District Munsif Court at Dharapuram.

For Petitioner(s):

Mr.M.Muthappan

For Respondent(s):

Mr.C.Sathish,
Government Advocate



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COMMON ORDER

Challenging the impugned Order passed by the trial Court in I.A.Nos.23 and 24 of 2025 in O.S.No.214 of 2011, the present Civil Revision Petitions have been preferred by the plaintiffs.

2. The petitioners/plaintiffs have filed the suit for permanent injunction against the defendants. Subsequent to filing of the suit, as the legal heirs of the deceased plaintiffs have been impleaded and the suit prayer has been amended, the plaintiffs have filed an application to reopen the evidence on the side of the plaintiffs and to recall P.W.1 to give evidence with regard to subsequent development in the case. The said applications have been opposed by the respondents. Considering the submissions on either side, the trial Court, by holding that as the Court is not inclined frame additional issues on the basis of the amendment, had dismissed the applications. Challenging the same the present Civil Revision Petitions have been filed.

3. The learned counsel appearing for the petitioners would submit that after amendment, the plaintiffs want to recall P.W.1 to give evidence with regard to subsequent development in the case and for that purpose they want to



reopen the evidence on the side of the plaintiffs. But the trial Court had failed to grant an opportunity to them. Hence, prayed to set aside the Order of the trial Court.

4. A perusal of records reveal that pending suit, the plaintiff had amended the plaint by including certain new facts and to that effect they want to reopen the evidence on the side of the plaintiffs and to recall P.W.1. As the plaintiffs want to recall P.W.1 with regard to the amendment made in the plaint and for that purpose, an opportunity has to be given to the plaintiffs.

5. Accordingly, these Civil Revision Petitions are allowed and the Common Order of the trial Court in I.A.No.s.23 and 24 of 2025 in O.S.No.214 of 2011 is set aside. No costs. Consequently, connected miscellaneous petitions are closed.

12-03-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

vrc

To

1. The District Munsif,
Dharmapuri.
2. The Assistant Commissioner



HR and CE, Tiruppur.

3. The District Revenue Officer /Special Officer
Temple Lands, HR and CE,Coimbatore.

4. The Executive Officer
A/m. Kasi Viswanathar and Varadaraja Perumal Temple,
Ponnapuram, Dharapuram Taluk.

5. The District Collector
Tiruppur.

6. The District Revenue Officer
Office of the District Collectorate,
Tiruppur.

7. The Revenue Divisional officer
Dharapuram.

8. The Tahsildar
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T.V.THAMILSELVI, J.

VRC

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