



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-01-2026

CORAM

THE HONOURABLE MR.JUSTICE S. SOUNTHAR

**CRP No. 3562 of 2025
C.M.P.No.19188 of 2025**

Dinesh Sivashankaran Soundappa

Petitioner(s)

Vs

A/m Visvesvaraswami and Veerarahava
Perumal Thirukoil
Rep by its Executive Officer,
Eswaran Koil Street,
Triuppur-641 604,
Tiruppur South Taluk

Respondent(s)

PRAYER:- Civil Revision Petition filed under Article 227 of the Constitution of India, to strike off the plaint filed in O.S.No.133 of 2025 on the file of the Subordinate Court, Tiruppur.

For Petitioner(s): Mr.V. Venkatasamy

For Respondent(s): Mr.K.Karthikeyan,
Government Advocate
HR & CE

ORDER

This Civil Revision Petition is filed seeking to strike off the plaint in O.S.No.133 of 2025 on the file of Sub Court, Tiruppur.



2.The respondent filed a suit for declaration of title and recovery of possession against the petitioner. It was the case of the respondent that the suit property was இனாம் தேவதாயம் property given by Mysore Nawab for the purpose of rendering certain service to the respondent temple. It is further stated that under the Tamil Nadu Minor Inams (Abolition and Conversion into Ryotwari) Act, 1963, patta was granted in favour of the respondent's predecessor in interest Eswaran under Section 8 (2) (1) (b) of the Act with a condition that the beneficiary of the patta shall pay an amount equal to twenty times the difference between the fair rent in respect of such land. Since, the beneficiary of the patta failed to comply with the condition, the said order became inoperative and therefore, the respondent / Temple was entitled to claim right over property and recovery of possession.

3.The petitioner who was arrayed as a defendant filed this Civil Revision Petition seeking to striking off the plaint on the ground that the condition imposed in the order passed by the settlement Tahsildar was duly complied by the petitioner and hence the averment contained in the plaint, as if the condition imposed by the settlement Tahsildar was not complied is not correct and further stated that the Inam was granted in favour of service holders and it was not given in favour of the respondent / temple. Therefore, respondent / temple cannot claim any title right over the suit property.



4. It is the specific case of the respondent / plaintiff that conditions mentioned in the conditional patta have not been complied with by the beneficiary and hence the order passed by the settlement Tahsildar has become inoperative and the petitioner submits that the conditions imposed by settlement Tahsildar was duly complied with and necessary amount had been already paid to the Government. Whether the conditions imposed by settlement Tahsildar was complied with or not is a matter for evidence to be decided after trial. Therefore, this Court is not inclined to exercise its supervisory power and strike off the plaint. It is always open to the petitioner to file written statement and raise all his objections or his defenses in the suit and contest the matter on merits. With this clarification, the Civil Revision Petition stands dismissed. Consequently, connected miscellaneous petition is closed. No costs.

02-01-2026

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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To
The Subordinate Court,
Tiruppur.



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S.SOUNTHAR J.

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