



CRP(MD). No.357 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 12.02.2026

CORAM

THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR

**CRP(MD). No.357 of 2026
and CMP(MD).No.1629 of 2026**

1.P.Shanmugavel
2.M.Chinnamuthu

... Petitioners

Vs.

1.S.Petchimuthu
2.S.Mariappan
3.K.Seenivasan
4.K.P.Perumal
5.T.Seenivasan

M.D.K.Thirumalaiyappan (Died)
S/o.T.Kumarasamy Muthaliyar,
Huqdaar / Trustee / Owner of
Seevalaperi Chathiram @ Seevalaperi
Annathana Chatriam
187, Melarathaveethi, Tirunelveli,
Tirunelveli District.

M.D.K.Thirumalaiyappan (Died)

6.P.Sankaran
7.Petchimuthu
8.R.S.Sornam
9.E.Jeyakumar
10.C.Arumugam



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11. The Sub Registrar,
Sub Registrar's Office,
Murappanadu, Srivaikundam Taluk,
Thoothukudi District.

12. Thakkar,
Sub Registrar,
Murappanadu Sub Registrar's Office,
Srivaikundam Taluk,
Thoothukudi District.

13. The Commissioner,
The Department of Hindu Religious and Charitable Endowment,
No.119, Mahatma Gandhi Road,
Nungambakkam, Chennai – 34.

14. The Joint Commissioner,
The Department of Hindu Religious and Charitable Endowment,
No.35/1A, West Car Street, Thoothukudi – 2.

15. The Assistant Commissioner,
The Department of Hindu Religious and Charitable Endowment,
No.35/1A, West Car Street, Thoothukudi – 2.

16. The Assistant Commissioner, (Land Reforms)
Office of the Assistant Commissioner, (Land Reforms)
Revenue Department,
District Collector's Office, Tirunelveli,
Tirunelveli District.

17. The Commissioner,
Directorate of Land Reforms,
Ezhilagam, Chepak, Chennai – 600 005.

18. The Tahsildar,
Office of the Tahsildar,
Srivaikundam Taluk, Srivaikundam.



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19. The District Collector,
Office of the District Collector,
Korampallam, Thoothukudi District. ... Respondents.

PRAYER :-Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the fair and decreetal order dated 02.01.2026 passed in I.A.No.8 of 2025 in O.S.No.80 of 2015 on the file of the II Additional District Judge, Thoothukudi.

For Petitioner : M/s.K.Sasiprabha for Ms.K.Swathini

For Respondent : Mr.K.Jayaseelan
Government Advocate

ORDER

This Civil Revision Petition has been filed challenging the fair and decreetal order dated 02.01.2026 passed in I.A.No.8 of 2025 in O.S.No. 80 of 2015 on the file of the II Additional District Judge, Thoothukudi.

2.Heard the learned counsel appearing for the revision petitioner and the learned Government Advocate appearing for the respondents.

3.The respondents 1 to 5 are the plaintiffs in the suit. They have filed the suit in O.S.No.80 of 2025 on the file of the II Additional District Judge, Thoothukudi, for declaration and permanent injunction in respect



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of the schedule mentioned properties. The revision petitioners are the defendants 4 and 5 in the suit. They have filed the above said interlocutory application before the trial Court seeking rejection of plaint on the ground that since the suit property is under the control of H.R.&.C.E. Department, the trial Court has no jurisdiction to entertain the suit and the suit is triable before the Hindu Religious and Charitable Endowment Authorities concerned. The learned counsel for the petitioners would submit that there is no cause of action to file the suit before the civil court. The above said application was dismissed by the trial Court stating that there is no merits in this application and the facts to be decided only after a full fledged trial.

4.The learned Government Advocate appearing for the official respondents would submit that the case is entirely rests on the facts. Hence, the facts to be established before the trial Court.

5.This Court perused the records. Considering the facts and circumstances of the case, this Court is of the view that there is no infirmity in the order passed by the trial Court and this Court finds no



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reason to interfere with the order passed by the trial Court. As pointed out by the learned Government Advocate the entire case is rests on the facts of this case, which has to be decided only after a full fledged trial. Hence, this Court is not inclined to entertain this petition.

6. Accordingly, this civil revision petition is dismissed as devoid of merits. No costs. Consequently, connected miscellaneous petition is closed.

Speaking : Yes / No
NCC : Yes / No
Internet : Yes / No
Index : Yes / No

12.02.2026

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To

1. The II Additional District Judge, Thoothukudi.
2. The Section Officer,
E.R. Section/V.R. Section,
Madurai Bench of Madras High Court, Madurai.



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N.SENTHILKUMAR, J.

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