



C.R.P(MD)No.1651 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.06.2026

CORAM

THE HON'BLE MR. JUSTICE S.SOUNTHAR

C.R.P.(MD)No.1651 of 2026

and

C.M.P(MD)No.8003 of 2026

Vellaisamy

.. Petitioner

Vs.

1.The Executive Officer,
Arulmighu Kailasanathar Temple,
Natham Kovilpatti,
Natham Taluk,
Dindigul District.

Meyyan (died)

2.Villiyar
3.Subbammal
4.Palani
5.Vijaya
6.Chithirayan

.. Respondents

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, to call for the records relating to the order passed by the Principal Sub Court, Dindigul in I.A.No.7 of 2024 in O.S.No.493 of 2022 dated 07.01.2026 and set aside the same.

For Petitioners : Mr.S.Muthupandi

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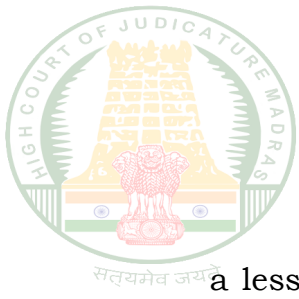
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ORDER

This Civil Revision Petition has been filed challenging the order passed by the learned trial Court allowing the application filed by the respondents 3 to 6 seeking to implead themselves as the legal representatives of the deceased first plaintiff in the suit.

2.The first respondent and his brother, Mayan, had instituted the suit for bare injunction against the petitioner and the first respondent in O.S. No. 493 of 2022. During the pendency of the suit, the said Mayan died. Thereafter, the respondents 3 to 6, stated to be the legal representatives of the deceased Mayan, filed an application to come on record as his legal heirs. The said application was opposed by the petitioner mainly on the ground that there was a separate lease arrangement between the petitioner and the first respondent and that the petitioner has been in possession and enjoyment of a portion of the suit property in Survey No. 564/4, measuring an extent of 2.66 acres. It was contended that the respondents 3 to 6 cannot be treated as legal representatives of the deceased Mayan.

3. The petitioner has already raised the plea of tenancy in the written statement and the said question as to whether the petitioner is



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a lessee under the temple and whether the deceased Mayan had any leasehold rights are matters to be decided only based on the evidence during trial. The application has been filed only for the purpose of bringing on record the legal representatives of the deceased plaintiff to enable continuation of the proceedings.

4. It is not the case of the petitioner that the respondents 3 to 6 are not the legal representatives of the deceased Mayan, and the relationship between the deceased and respondents 3 to 6 has not been disputed. In such circumstances, the trial Court, upon consideration of the materials, allowed the application and recorded the respondents 3 to 6 as the legal representatives of the deceased first plaintiff. Merely because they are recorded as legal representatives, they will not acquire any right, title or interest over the suit property unless the same is established in accordance with law during the course of trial. The contention raised by the petitioner regarding entitlement over the suit property in Survey No. 564/4 is a matter for adjudication during trial and cannot be gone into while considering an application for impleadment of legal representatives of a deceased party.

5. This Court finds no illegality or infirmity in the order passed by the trial Court. Accordingly, the Civil Revision Petition stands



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dismissed. No costs. Consequently, the connected Civil Miscellaneous
Petition is closed.

29.06.2026

Index :Yes / No
Internet :Yes / No
NCC :Yes / No
skn

To

- 1.The Principal Sub Court, Dindigul.
- 2.The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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S.SOUNTHAR, J.

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and
C.M.P(MD)No.8003 of 2026

29.06.2026