



Rev.Apl.W(MD)No.47 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 09.06.2026

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MS.JUSTICE R.POORNIMA**

Rev.Apl.W.(MD)No.47 of 2016
in
W.P.(MD)No.19377 of 2016

S.Sundaramoorthy

... Petitioner

Vs

- 1.The District Collector,
Office Of The District Collector,
Virudhunagar District, Virudhunagar.
 - 2.The Revenue Divisional Officer,
Sattur, Virudhunagar District.
 - 3.The Tahsildar,
Taluk Office,
Rajapalayam Town,
Virudhunagar District.
 - 4.The Commissioner,
Rajapalayam Municipality,
Rajapalayam Town,
Virudhunagar District.
 - 5.Arulmigu Muthalamman Kovil,
Rep. by its President,
Pudupalayam Sakkaraja Kottai Rajus Community,
Pudupalayam, Rajapalayam Town,
Virudhunagar District.
- ... Respondents



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Prayer: Review Application is filed under Order XLVII, Rules 1 and 2 of the Civil Procedure Code r/w. Article 226 of the Constitution of India, to review the order of this Court in W.P.(MD)No.19377 of 2016 dated 01.11.2016 on the file of this Court.

For Petitioner : Mr.G.Prabhu Rajadurai

For Respondents : Mr.M.P.Senthil,
Govt. Advocate for R1 to R3.

ORDER

(Order of the Court was delivered by G.R.Swaminathan, J.)

Heard the learned counsel for the review applicant and the learned Government Advocate for the respondents 1 to 3.

2.The review applicant wants us to review the order dated 01.11.2016 made in W.P.(MD)No.19377 or 2016. The writ petition filed by the review applicant herein for removal of the encroachment was disposed of by this Court in the following terms:-

“3.The learned counsel appearing for the fifth respondent submitted that the temple in question has been in existence from time immemorial and recently, only renovation was done and Kumbabisekam was conducted in the temple in the month of January, 2016. The photograph filed before this Court showing the temple would go to show that it is a big temple and the same



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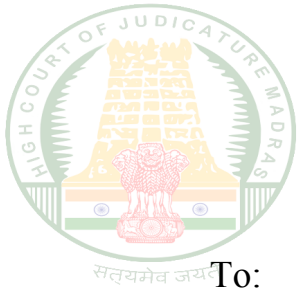
has been provided with electricity, etc. The learned counsel for the fifth respondent further submitted that there is a long standing enmity between the petitioner and the fifth respondent, and the petitioner has even filed another writ petition regarding some other property.

4.At at rate, since there is a dispute with regard to the time at which the building come into being and since the fifth respondent has been claiming that the temple has been in existence from time immemorial, in this writ petition, we cannot decide the disputed questions of act. It is for the petitioner to work out his remedy before the Civil Court. The writ petition is, therefore, dismissed. No costs.”

3.No adverse order has been passed. The review applicant has only been called upon to move the jurisdictional Civil Court. Such a view was taken by the Hon'ble Division Bench because disputed facts were involved. It is well settled that in the writ jurisdiction disputed facts cannot be gone into. We do not find any error apparent on the face of the record. The review application stands dismissed. No costs.

(G.R.S. J.) & (R.P. J.)
09.06.2026

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