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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **07.01.2026**

CORAM:

THE HONOURABLE **DR.JUSTICE G. JAYACHANDRAN**
AND
THE HONOURABLE **MR.JUSTICE K.K. RAMAKRISHNAN**

REV.APLC.(MD)Nos.100 to 106, 168 & 169 of 2018 and 1 of 2019
and
C.M.P.(MD)Nos.17660, 17659, 17661, 17664, 17666, 13850, 13848 of
2023 and 110 of 2024

REV.APLC(MD)No.100 of 2018:

Pasupathi Iyyar

... Petitioner

Vs.

The Idol of Kalyana Pasupatheeswara Swamy,
Arulmigu Kalyana Pasupatheeswara Swamy,
Devasthanam through its Executive Officer,
Karur.

... Respondent

PRAYER:- Review Petition filed under Section 114 (b) of C.P.C., r/w order XLVII Rule 1 of C.P.C., to call for the records in O.S.No.139 of 1989 on the file of the Sub Court, Karur by reviewing the findings rendered by this Court in the common judgment and individual decree dated 01.11.2017 passed by this Court in S.A.(MD)No.746 of 2022.

REV.APLC(MD)No.101 of 2018:

1.Thirumalai Pillai (died)

1/10



2.T.Nirmaladevi
3.T.Ramalingam
4.T.Sivasubramanian

... Petitioners

Vs.

Arulmigu Kalyana Pasupatheeswara Swamy,
Karur by its Executive Officer.

... Respondent

PRAYER:- Review Petition filed under Section 114 (b) of C.P.C., r/w order XLVII Rule 1 of C.P.C., to call for the records in O.S.No.219 of 2003 on the file of the Sub Court, Karur by reviewing the findings rendered by this Court in the common judgment and individual decree dated 01.11.2017 passed by this Court in Tr.A.S.(MD)No.1 of 2014.

REV.APLC(MD)No.102 of 2018:

1.Ponnusamy Gounder (died)
2.Dhanalakshmi
3.Saraswathi
4.P.Shanmugasundaram
5.Vijayakumari
6.Vidhya
7.Hariharasudhan

... Petitioners

Vs.

A/M Idol of Kalyana Pasupatheeswara Swamy,
A/M Kalyana Pasupatheeswara Swamy,
Devasthanam through its Executive Officer.

... Respondent

PRAYER:- Review Petition filed under Section 114 (b) of C.P.C., r/w order XLVII Rule 1 of C.P.C., to call for the records in O.S.No.228 of 2003 on the file of the Sub Court, Karur by reviewing the findings



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rendered by this Court in the common judgment and individual decree dated 01.11.2017 passed by this Court in A.S.(MD)No.19 of 2005.

REV.APLC(MD)No.103 of 2018:

R.Muthusamy

... Petitioner

Vs.

Arulmigu Kalyana Pasupatheeswara Swamy,
Devasthanam through its Executive Officer.

... Respondent

PRAYER:- Review Petition filed under Section 114 (b) of C.P.C., r/w order XLVII Rule 1 of C.P.C., to call for the records in O.S.No.220 of 2003 on the file of the Sub Court, Karur by reviewing the findings rendered by this Court in the common judgment and individual decree dated 01.11.2017 passed by this Court in Tr.A.S.(MD)No.50 of 2007.

REV.APLC(MD)No.104 of 2018:

Rukmani Ammal

... Petitioner

Vs.

Arulmigu Kalyana Pasupatheeswara Swamy,
Devasthanam through its Executive Officer

... Respondent

PRAYER:- Review Petition filed under Section 114 (b) of C.P.C., r/w order XLVII Rule 1 of C.P.C., to call for the records in O.S.No.227 of 2003 on the file of the Sub Court, Karur by reviewing the findings rendered by this Court in the common judgment and individual decree dated 01.11.2017 passed by this Court in Tr.A.S.(MD)No.51 of 2007.



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REV.APLC(MD)No.105 of 2018:

Rajapppan

... Petitioner

Vs.

Arulmigu Kalyana Pasupatheeswara Swamy,
Devasthanam through its Executive Officer

... Respondent

PRAYER:- Review Petition filed under Section 114 (b) of C.P.C., r/w order XLVII Rule 1 of C.P.C., to call for the records in O.S.No.226 of 2003 on the file of the Sub Court, Karur by reviewing the findings rendered by this Court in the common judgment and individual decree dated 01.11.2017 passed by this Court in Tr.A.S.(MD)No.3 of 2007.

REV.APLC(MD)No.106 of 2018:

Velusamy Gownder

... Petitioner

Vs.

Arulmigu Kalyana Pasupatheeswara Swamy,
Devasthanam through its Executive Officer

... Respondent

PRAYER:- Review Petition filed under Section 114 (b) of C.P.C., r/w order XLVII Rule 1 of C.P.C., to call for the records in O.S.No.221 of 2003 on the file of the Sub Court, Karur by reviewing the findings rendered by this Court in the common judgment and individual decree dated 01.11.2017 passed by this Court in Tr.A.S.(MD)No.55 of 2007.

REV.APLC(MD)No.168 of 2018:

1.S.Narayanaswamy Reddiar (died)



2.Kamalam
3.Geethalakshmi
4.Chithra
5.Minor B.Sridyanesh
rep by his grandmother Kamalam

6.Ajantha
7.Minor Adithya
8.Minor Sudarsam
(Minors 7 and 8 are represented
by their mother Mrs.Ajantha) ... Petitioners

Vs.

A/M Idol of Kalyana Pasupatheeswara Swamy,
A/M Kalyana Pasupatheeswara Swamy,
Devasthanam through its Executive Officer. ... Respondent

PRAYER:- Review Petition filed under Section 114 (b) of C.P.C., r/w order XLVII Rule 1 of C.P.C., to call for the records in O.S.No.225 of 2003 on the file of the Sub Court, Karur by reviewing the findings rendered by this Court in the common judgment and individual decree dated 01.11.2017 passed by this Court in A.S.(MD)No.21 of 2005.

REV.APLC(MD)No.169 of 2018:

Sathiya Bama ... Petitioner

Vs.

Arulmigu Kalyana Pasupatheeswara Swamy,
Karur, by its Executive Officer ... Respondent

PRAYER:- Review Petition filed under Section 114 (b) of C.P.C., r/w order XLVII Rule 1 of C.P.C., to call for the records in O.S.No.223 of



2003 on the file of the Sub Court, Karur by reviewing the findings rendered by this Court in the common judgment and individual decree dated 01.11.2017 passed by this Court in Tr.A.S.(MD)No.54 of 2007.

REV.APLC(MD)No.1 of 2019:

- 1.Pappayee Ammal
- 2.V.Rajendran
- 3.V.K.Ashokan (died)
- 4.R.Shanthi

... Petitioners

Vs.

Arulmigu Kalyana Pasupatheeswara Swamy,
Karur by its Executive Officer.

... Respondent

PRAYER:- Review Petition filed under Section 114 (b) of C.P.C., r/w order XLVII Rule 1 of C.P.C., to call for the records in O.S.No.224 of 2003 on the file of the Sub Court, Karur by reviewing the findings rendered by this Court in the common judgment and individual decree dated 01.11.2017 passed by this Court in Tr.A.S.(MD)No.52 of 2007.

In all petitions:

For Petitioner : Mr.E.J.Ayyappan
For Respondent : Mr.P.Athimoolapandian

COMMON ORDER

(Order of the Court was made by **DR.G.JAYACHANDRAN, J.**)

The order passed by this Court in a batch of first appeals and second appeals on 01.11.2017, is sought to be reviewed on the ground



that the Court has not considered the point for consideration as well as the question of law framed.

2.This Court on going through the grounds of review petitions, finds that the issues that are considered and decided by this Court in the batch of first appeals and second appeals, are sought to be re-agitated on each and every point and review petitions itself run to twenty pages.

3.We are concise of the fact that the scope of review under Section 114 r/w Order XLVII of CPC is very limited and it cannot be used to re-agitate the issues decided in the appeals.

4.The learned counsel for the respondent relied upon the judgment of the Hon'ble Supreme Court in ***Sanjay Kumar Agarwal vs. State Tax Officer and another*** reported in ***[(2024) 2 SCC 362]***, wherein the Hon'ble Supreme Court had capsulized when a review can be entertained, relying upon the constitutional Bench judgment in ***Beghar Foundation vs. Justice K.S. Puttaswamy (Retired) and Others*** reported in ***[2021 3 SCC 1]***.



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5.The guidelines formulated by the Hon'ble Supreme Court clearly says that in exercise of jurisdiction under Order XLII Rule 1 of CPC, it is not permissible for erroneous decision to be reheard and corrected and the review petition cannot be permitted to re-agitate and reargue the questions, which had already been addressed and decided.

6.The order, which is now sought to be reviewed, in our view, has considered necessary points for consideration and the questions of law. It is a matter regarding the land dispute, which has been instituted in the year 1989 and reached finality at the hands of the Division Bench of this Court on 01.11.2017.

7.Considering the importance of the present case and the reasoning given by this Court and parameters laid by the Hon'ble Supreme Court in *Sanjay Kumar Agarwal's* case cited supra, we find that the instant cases are not fit for review.

8.Since we find no error apparent in the order sought to be reviewed, these review petitions are dismissed. It is also made clear that since the review petition was undoubtedly delayed at the registry, if the



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review petitioners desire to prefer any further appeals, the period consumed for disposal of the review petitions has to be exempted while reckoning the period of limitation. Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.

[G.J., J.] & [K.K.R.K., J.]
07.01.2026

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Internet :Yes
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DR.G. JAYACHANDRAN, J.
AND
K.K. RAMAKRISHNAN, J.

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