



C.R.P.(MD).No.2601 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.04.2026

CORAM

THE HON'BLE MR.JUSTICE V.LAKSHMINARAYANAN

C.R.P.(MD).No.2601 of 2025

and

C.M.P.(MD).Nos.15327 of 2025 and 4387 of 2026

Arulmighu Navaneetha Krishnan Swamy
Vagayara Temple,
Represented by its Trustees.

1)V.R.N.Sethuraman

2)T.Srinivasan

3)M.P.Gopalakrishnan

4)K.Gunasekaran

5)T.Karunanidhi.

... Petitioners/2nd Respondent

Vs.

1.Thiruvengadam

... 1st Respondent/Petitioner

2.Rasu @ Venkatachalam,
One of the Ex-Trustee of
Arulmighu Navaneetha Krishnasamy
Thirukovil and Durgai Amman Vagaiyara
Devasthanam.

... 2nd Respondent/1st Respondent

PRAYER: Civil Revision Petition filed under Section Article 227 of Constitution of India, to set aside the petition and docket order dated 24.07.2025 passed in I.A.No.91 of 2025 in I.A.No.55 of 2024 in O.S.No.1 of 1902 on the file of the Principal District Judge, Tiruchirappalli and allow the present Civil Revision Petition.



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For Petitioner : Mr.V.R.Shanmuganathan

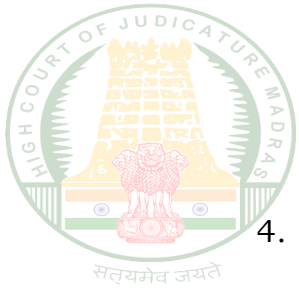
For R-2 : Mr.P.Thiyagarajan

ORDER

This Civil Revision Petition challenges the order passed by the learned Principal District Judge, Tiruchirappalli in impleading a third party to the proceedings, in I.A.No.91 of 2025 in I.A.No.55 of 2024 in O.S.No.1 of 1902 dated 24.07.2025.

2. O.S.No.1 of 1902 relates to a temple under the name and style of 'Arulmighu Navaneetha Krishnasamy Thirukovil'. A Scheme had been framed for the said temple in O.S.No.1 of 1902 by the learned District Judge at Tiruchirappalli. Subsequently, it was amended. By the said amendment, the tenure of the office bearers was extended from two years to five years.

3. An application was filed in I.A.No.95 of 2017, seeking appointment of an Advocate Commissioner, to conduct the elections to elect the officer bearers. A senior member of the Tiruchirappalli Bar was appointed as a Commissioner. He conducted the elections on 18.02.2018. The civil revision petitioners were elected as office bearers.



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4. It is the allegation of the civil revision petitioners as well as the petitioner in I.A.No.91 of 2025 (impleading petition) that before the office bearers could enter upon office, an application came to be filed in I.A.No.375 of 2018, stating that the earlier application in I.A.No.95 of 2017 must be revived and the election conducted by the Advocate Commissioner must be set aside. It was further alleged that, on account of pendency of I.A.No.375 of 2018, the office bearers did not enter upon office. Finally, I.A.No.375 of 2018 came to be dismissed on 05.03.2024. It is the further plea of the civil revision petitioners and the third party that the present trustees assumed office on 10.03.2024 and hence, they are entitled to continue in office till 09.03.2029.

5. An application came to be filed in I.A.No.55 of 2024, seeking to conduct fresh elections. Notice was issued to the office bearers and they have also filed a counter. When this application was pending for enquiry, a third party filed an application to implead himself in I.A.No.55 of 2024. This application was numbered as I.A.No.91 of 2025. Notice was ordered in this application. A perusal of the certified copy of the docket order produced by the civil revision petitioners indicates that the civil revision petitioners had made an endorsement stating no objection. For ready reference, the same is scanned and extracted hereunder:



Mo - R. Venkatarammam

Time. 91 / 25

(2/18) Osmo - 1/1902

Petro/ 2nd party prays
to order to unplead him
as a party/ ^{RUFF} in ~~this~~ Osmo.
55/24 in Osmo. 1/1902

U/Sr R10 CPL
Affi filed

F.C.
2
24/7

15 Nov & the constant the
 better is called the con-

(4)
 2600

Advocate for
Petitioner/3rd Party

=====

DIS. JUDGE & CLERKS COURT
TIRUCHIRAPALLI
7282
24 JUN
RECEIVED

PDS

IN THE COURT OF ~~THE~~
PRINCIPAL DISTRICT
JUDGE OF
TIRUCHIRAPALLI

in
I.A.No. 55/2024
in
O.S.No. 1 / 1902

PETITION FILED UNDER
ORDER .1....RULE .10.(2)
UNDER SECTION 151 OF
CPC

Taken from
 I ~~planned to~~ ^{had to} get paper
 book etc.

(1) Affidavit - 1
 (2) Petition - 1
 (2) Document - 2
 (4) Vak - 1
 Total - 5

Presented on: 24-7-2025

Printed on: 14-1-2023

EXAMINED
LAST PAGE:- TRUE COPY



Sup
08/8/25
SUPERINTENDENT



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6. In view of the endorsement made, the learned Judge allowed the application. Aggrieved by the same, it is not the third party, who is on revision before this Court, but the office bearers, who are supported by the third party.

7. It is the plea of Mr.V.R.Shanmuganathan that their counsel had asked for time before the Trial Court to file a counter. Instead of granting time, the learned Judge proceeded to allow the application. He invites my attention to the certified copy at Page 24 of the typed set, to point out that an endorsement had been made in the following terms:

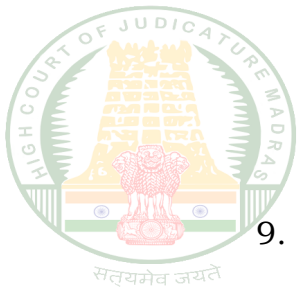
“Taken notice prayed time for counter.

Signed 24/7/25.”

8. I am not in a position to agree with the said submission. This is for the following reasons:

An endorsement had been made before the highest Civil Judge in a District, namely, the Principal District Judge. The learned Judge has specifically recorded as follows:

“In view of the endorsement, the petition is allowed. No costs.”



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9. It has been settled atleast a century ago in ***R.M.K.R.M.Somasundaram Chetty Vs. M.R.M.V.L.Subramanian Chetty, AIR 1926 PC 136*** that the recording of a Court is not a counter in the game of litigation for it to be agitated before the appellate forum. This view of the Privy Council found acceptance in the hands of the Supreme Court in ***State of Maharastra Vs. R.S.Nayak, AIR 1982 SC 1249***. When the learned Principal District Judge has recorded that an endorsement has been made by the parties stating no objection for allowing the petition, it is not open for the petitioners to plead otherwise before this Court.

10. Apart from that, I independently went through the affidavit filed in support of I.A.No.91 of 2025. It is not in dispute that the proposed party is a voter and also a member of Neikara Yadav community, which controls Arulmighu Navaneetha Krishnan Swamy Thirukovil. In a suit with respect to a temple, any worshipper is entitled to come on record before the Court. When the third party has a sufficient standing, to implead him as a party to the suit, the order cannot be treated as one without jurisdiction.

11. In addition, a perusal of the affidavit filed in support of the impleading application shows that the third party is not militating against the rights of the civil revision petitioners (trustees in office), but, is openly supporting their stand. Therefore, the trustees in office cannot be said to be



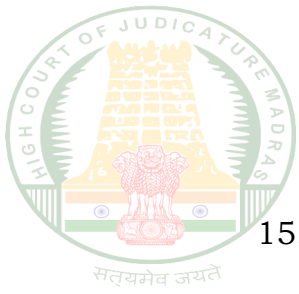
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the “persons aggrieved”. On the contrary, they have another voice echoing their submissions before the Court.

12. In the light of the above discussions, I do not find any merits in the revision. This Civil Revision Petition is dismissed.

13. Being a proceeding relating to a temple and that too, being monitored and supervised pursuant to a Scheme Decree formulated, a century and 20 years ago; a cloud, that is attempted to be raised over the present office bearers, has to be dispelled at the earliest. The papers reveal that an application, which had been filed earlier, had been kept pending for a period of nearly seven years, only to be dismissed after the said period. Therefore, there is a sense of urgency to dispose of I.A.No.55 of 2024.

14. The learned Principal District Judge, Tiruchirappalli shall ensure that the amended petition copy in I.A.No.55 of 2024 is filed within the period prescribed under Order 6 Rule 18 of the Code of Civil Procedure and a week's time is granted to the proposed party to file his counter, if necessary. The learned Principal District Judge shall thereafter take up the application for disposal and ensure that I.A.No.55 of 2024 is concluded by **30.09.2026**.



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15. It is made clear that, being an issue relating to a Trust governing a temple, utmost importance is to be given to the application. I.A.No.55 of 2024 shall be given atleast two effective hearings a week and disposed of on its own merits within the time prescribed above. The learned Principal District Judge is requested not to seek extension of time.

16. Report of compliance of the directions given by this Court shall be submitted by **05.10.2026** together with a copy of the order passed in I.A.No.55 of 2024. No costs. Consequently, connected miscellaneous petitions are closed.

16.04.2026

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

Note: (i) Issue order copy by 20.04.2026

(ii) Registry shall communicate this order to learned Principal District Judge, Tiruchirappalli through mail forthwith.

To
The Principal District Court,
Tiruchirappalli.



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V.LAKSHMINARAYANAN,J.

Lm

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