

**IN THE SUPREME COURT OF INDIA  
CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPEAL NOS. \_\_\_\_\_ OF 2026  
(@SLP(CRL.) Nos.1606-1607 OF 2026)**

**P. JEYAPANDIAN & ANR. . . . . APPELLANT(S)**

**VERSUS**

**N. JOHN ISSAC & ANR. . . . . RESPONDENT(S)**

**O R D E R**

**1.** Heard.

**2.** Leave granted.

**3.** Interim orders dated 05.12.2025 and 16.12.2025 passed by the High Court of Madras at Madurai Bench in WPCRL(MD) No. 2391 of 2025 are under challenge.

**4.** The saga of this litigation dates back to 1945, namely, a suit OS No.15/1945 was filed for various reliefs which ultimately culminated in a decree being drawn under Section 92 of the Code of Civil Procedure, 1908 (CPC) on 30.03.1946. As per the said decree, six managers, three from Hindu Panikkars and three from Christian Panikkars were empowered to manage the property of the Trust and income flowing therefrom. It was also explicitly made clear in the said decree

that term of office of such managers would be five years and outgoing managers would conduct elections for incoming managers and handover the charge to them. Originally the trust was named as "*Virudhunagar, Thirumangalam, Palayampatti, KovilanKulam, Periyakarisalkulam Hindu, Christian Panikar Community Trust*". This was changed vide order dated 11.01.2017, which was also challenged in OS No.20/2012 and same came to be dismissed and the changed name of the trust was "*Virudhunagar, Thirumangalam, Palayampatti, KovilanKulam, Periyakarisalkulam five villages of Sriman Narayana Madam , Panikar Community of Paripalana Manging Trust*". The tenure of the last trustees, namely, the appellants herein, ended in August, 2021 and on account of fresh elections not having been conducted, the dispute arose. It is stated that *R Bhagavath Sing* and *P Saravanan*, Members of the Hindu and Christian Panikars Community, have filed a suit in O.S. No.49/2023 against the trustees, including the appellants herein, seeking for a direction to the defendants therein to convene a General Body Meeting to elect new administrators to manage the property of the Trust and to appoint a Court Commissioner to facilitate the process of election. Written statements are said to have been filed and the suit is said to be pending. Be that as it may.

**5.** On account of there being a possibility of the peace and tranquility being disturbed, the jurisdictional Tahsildar of Virudhunagar conducted a peace meeting on 17.12.2025 wherein the parties are said to have agreed upon to abide by the orders that may be said to have been passed in OS No.49/2023.

On account of wall posters and templates being circulated and demonstration having been conducted by a particular group, the Deputy Superintendent of Police, Virudhunagar, issued summons to the trustees, including the present appellants, whereunder the parties were directed to workout the modalities as per the outcome of the pending suit. It is at that juncture, the Respondent No.1 herein, is said to have submitted a representation to Superintendent of Police seeking police protection during the General Body Meeting which was scheduled to be held on 07.12.2025. A writ petition, namely, WPCRL(MD) No. 2391 of 2025 (Supra) came to be filed by Respondent No.1 herein seeking for a Writ of Mandamus before the Superintendent of Police to consider the representation dated 26.11.2025 to give necessary protection for the General Body Meeting scheduled to be held on 07.12.2025. In fact, there is no mention or reference in the writ petition about the pendency of the suit OS No. 49/2023. Appellants herein also filed an Interlocutory Application to get impleaded as party-respondents in the said writ petition and same is said to have been allowed. In the said writ petition, the impugned order has been passed on 05.12.2025 by appointing an Election Commissioner and ordering for election to be conducted to the Trust in accordance with the decree dated 30.03.1946 passed in OS No. 15/1945 and further order came to be passed on 16.12.2025 by issuing certain directions. Hence, these appeals.

**6.** Having heard the learned advocates appearing for the parties and on perusal of the case papers, it would not detain us too long to set the dispute to a

quietus. A Perusal of the decree that came to be passed in scheme suit would clearly indicate that first Committee of Mangers would hold the office for a period of five years and fresh elections would be held once in five years and the future elections shall be held by the outgoing Committee of Managers themselves. In paragraph 9 of the said decree, it is clearly and explicitly indicated as under :

“9. The first committee of managers shall hold office for a period of 5 years, and fresh elections shall be held once in 5 years. The future elections shall be held by the out going committee of managers themselves. If within the period of 5 years, any membes cause to be one by reason of death or any other cause, such vacancy shall be filed up in a meeting of the community held as a whole. The list now prepared by the commissioner shall be revised and additions made once in every 5 years and before the election of committee of managers for that period by deleting the non-existing panikkar member and adding the panikkar member who has attained majority in the meanwhile.”

**7.** The present dispute seems to have arisen in the year 2021 when the then existing Committee of Managers, who completed five year tenure, not having conducted the election. The decree aforesaid is a complete answer to all the questions raised not only in these appeals but also to all the disputes. We say so for the simple reason that even the parties to the scheme suit, which resulted in decree to be passed in wayback in the year 1946, were *ad idem* or as to how to workout the future disputes. It was agreed upon by them that if there were to be any difficulty in working out the scheme, any member of the community (Whether Christian or Hindu) was entitled to apply to the Court for suitable directions. The clause 14 as agreed upon between the parties reads as under:

“14. If any alteration, variation or change in respect of this scheme is found necessary and if any difficulty is felt in working out this scheme, any member of the community (Whether christian or Hindu) may apply to this court for suitable directions. This court after notice to the parties on record shall after hearing the objections, pass suitable orders thereon. The application shall be made in this suit itself.”

**8.** It is for this reason, we are performed to observe as to the very maintainability of the Suit in OS. No.49/2023. However, we refrain from expressing any opinion in that regard, since the parties to the suit are not before this Court. As noticed hereinabove and at the cost of the repetition, it is noted that remedies to the parties for redressal of their grievance would lie before the competent civil court, which has drawn a decree under Section 92 of CPC.

**9.** Though Mr. M.S. Ganesh, learned senior counsel appearing for the appellants, has made a valiant attempt to contend that the provisions Of the Hindu Religious Endowments Act would be attracted, which at first blush, looks attractive, by deeper examination of the relevant provisions of the Act, we notice that said contention cannot be accepted. Section 3 of the said Act is complete answer to the said proposition and the said act being applicable only to the Hindu Religious and Charitable Trust and the instant trust being a combination of both Hindu and Christians, the provisions of the said Act would not be applicable. Even otherwise, the decree that has been drawn under Section 92 CPC would prevail and govern the parties and it is for this precise

reason we have observed hereinabove that parties would be at liberty to move the jurisdictional court, Virudhunagar, for appropriate relief including the direction for conducting an election, if necessary, by appointing a suitable person.

**10.** Hence, we permit the parties or any Member of the community to approach the competent civil court which administers the scheme suits as contemplated under section 92 CPC to seek such remedy as may be available to them and reserve liberty in that regard. At the same time, a person who has been appointed as a Manager much earlier and their term having been ended in the year 2021, would not be entitled to continue in administration of the Trust. There are various allegations and counter allegations made with regard to mal-administration, mismanagement etc. It is not for this Court or the Courts exercising the power under Article 226 and 227 of the Constitution of India to examine such disputed questions of fact. It is also an issue which will have to be thrashed out before the civil court, if necessary, by evaluating the evidence that may be tendered by the parties in the scheme suit. At the same time, the decree which has been drawn in the scheme suit, requires to be effectively implemented for the betterment of the community at large. Any infraction or deviation would defeat the very purpose of creation of such Trust and the decree drawn.

**11.** Hence, we deem it proper and appropriate to appoint a Receiver to

administer, manage and preserve the Trust and its properties until and unless a duly constituted body is elected under the supervision of the jurisdictional civil court. Hence, we hereby appoint Justice Ananthi, Former Judge, Madras High Court, as a Receiver of *Virudhunagar, Thirumangalam, Palayampatti, KovilanKulam, Periyakariskulam five villages of Sriman Narayana Madam, Panikar Community of Paripalana Manging Trust* and the existing trustees who are now managing the properties of the trust, shall forthwith handover the charge and the Receiver shall take charge and administer the trust in the manner he/she deems fit and the receiver would be at liberty to seek such orders or directions as deemed fit for the proper administration of the Trust from the jurisdictional civil court which has passed the decree in OS No.15/1945 and the jurisdictional court shall fix the remuneration of the receiver which shall be not less than Rs.1.50 lakhs per month.

**12.** In the light of the aforestated order, the impugned order which directs the appointment of an Election Commissioner and the order dated 16.12.2025, issuing directions would not be sustainable and it is hereby set aside. Accordingly, the appeals stand disposed of. No order as to costs.

**13.** In the light of the aforesaid observations, the jurisdictional High Court shall pass appropriate orders for consigning the writ petition(s) to records.

**14.** All pending application(s) stands consigned to records.

.....J.  
(ARAVIND KUMAR)

.....J.  
(VIPUL M. PANCHOLI)

New Delhi;  
September 15, 2026.

REVISED

ITEM NO.40

COURT NO.9

SECTION II-C

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl.)  
No(s). 1606-1607/2026

[Arising out of impugned final judgment and order dated 05-12-2025 in WPCRL(MD) No. 2391/2025 16-12-2025 in WPCRL(MD) No. 2391/2025 passed by the High Court of Judicature at Madras at Madurai]

P. JEYAPANDIAN & ANR.

Petitioner(s)

VERSUS

N. JOHN ISSAC & ANR.

Respondent(s)

IA No. 26091/2026 - EXEMPTION FROM FILING O.T.

Date : 15-09-2026 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE ARAVIND KUMAR  
HON'BLE MR. JUSTICE VIPUL M. PANCHOLI

For Petitioner(s) :Mr. M.S. Ganesh, Sr. Adv.  
Mr. R. Ayyam Perumal, AOR  
Mr. P. Athimoolapandian, Adv.  
Ms. Archana Sharma, Adv.  
Mr. Rao Raj Bahadur Singh, Adv.  
Mr. A. Sai Kumar, Adv.  
Mr. Aman Raj, Adv.  
Mr. P. Ashok, Adv.

For Respondent(s) :Mr. P. V. Yogeswaran, AOR  
Mr. Ashish Kumar Upadhyay, Adv.  
Mr. Y. Lokesh, Adv.  
Mr. V. Kandha Prabhu, Adv.  
Ms. Dhatry Singh, Adv.  
Ms. Hari Preethi, Adv.  
Ms. Maitri Goal, Adv.  
Mr. Guneswaran Pv, Adv.

**Mr. Rabindra Kumar Mohanty, Adv.**

**Mr. Sabarish Subramanian, AOR**

**UPON hearing the counsel the Court made the following  
O R D E R**

**Leave granted.**

**The appeals are disposed of in terms of the Signed Order.**

**Pending application(s), if any, shall stand disposed of.**

**(RASHI GUPTA)  
COURT MASTER (SH)**

**(AVGV RAMU)  
COURT MASTER (NSH)**

**(Corrected Signed Order is placed on the file)**

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Mr. A. Sai Kumar, Adv.  
Mr. Aman Raj, Adv.  
Mr. P. Ashok, Adv.

For Respondent(s) :Mr. P. V. Yogeswaran, AOR  
Mr. Ashish Kumar Upadhyay, Adv.  
Mr. Y. Lokesh, Adv.  
Mr. V. Kandha Prabhu, Adv.  
Ms. Dhatri Singh, Adv.  
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