

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS  
CIVIL APPEAL NO(s). 1138 OF 2004

BALACHANDRAN (MINOR) REP BY BALAKRISHNAN Appellant (s)

VERSUS

DHANALAKSHMI & ANR. Respondent(s)  
(With office report )

Date: 14/09/2010 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MARKANDEY KATJU  
HON'BLE MR. JUSTICE T.S. THAKUR

For Appellant(s) Mr. V. Prabhakar, Adv.  
Mrs. Revathy Raghavan, Adv.

For Respondent(s) Mr. R. Anand Padmanabhan, Adv.  
Mr. Shinoi K. Narayan, Adv.  
Mr. B. N. Prithviraj, Adv.  
Mr. Pramod Dayal, Adv.

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

The Appeal is dismissed in terms of the signed  
order.

(Deepak Joshi) (Indu Satija)  
Sr.P.A. Court Master  
(signed order is placed on the file)

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 1138 OF 2004

BALACHANDRAN (MINOR) REP  
BY BALAKRISHAN .....Appellant (s)

VERSUS

DHANALAKSHMI & ANR. ....Respondent (s)

O R D E R

Heard learned counsel for the parties.

This appeal has been filed against impugned judgment and order dated 11.02.2003 in SA 1653/90 of the High Court of Madras.

The facts of the case have been set out in the impugned judgment of the High Court and hence we are not repeating the same here.

In our opinion, the suit filed by the appellant was barred by Section 23 of the Tamil Nadu Occupants of Kudiyiruppu (Conferment of Ownership) Act, 1971.

:1:

:2:

CIVIL APPEAL NO. 1138 OF 2004

Hence, the suit have been rightly dismissed by the High Court. The High Court has already given liberty to the appellant to approach the competent authority under Section 3 (b) read with Section 5 of the Act.

With these observation the appeal is dismissed.

.....J.  
[MARKANDEY KATJU]

.....J.  
[T. S. THAKUR]