

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 19663 OF 2017

THE SECRETARY, THE COIMBATORE
VASAVI TRUST

..... APPELLANT(S)

VERSUS

K. KARUPPASAMY & ORS.

..... RESPONDENT(S)

with

CIVIL APPEAL NO. 19665 OF 2017

and

CIVIL APPEAL NO. 19664 OF 2017

O R D E R

CIVIL APPEAL NO. 19663 OF 2017

Heard the learned senior counsel appearing for the appellant; the learned counsel for the Government of Tamil Nadu; and the learned counsel for the private respondents/ assignees.

We are of the considered opinion that the Division Bench of the High Court of Judicature at Madras was fully justified in returning the finding that exercise of power under Section 37-B of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1961 stood barred once the declaration was issued under Section 20-A

thereof, whereupon the land in question is deemed to have been transferred to the Government with effect from the date of its acquisition. Once such a declaration was made and continued to hold the field, the question of the Government granting permission under Section 37-B of the Act did not arise.

The impugned judgment and order dated 21.01.2011 passed by the Division Bench of the High Court holding to this effect and confirming the judgment and order dated 18.02.2003 passed by the learned single Judge in Writ Petition No. 11729/1998 do not brook interference either on facts or in law. We, therefore, find no merit in this appeal.

The appeal is, accordingly, dismissed.

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

CIVIL APPEAL NO. 19665 OF 2017

Third parties to the litigation, which culminated in the judgment dated 21.01.2011 passed by a Division Bench of the High Court of Judicature at Madras in Writ Appeal No. 1156/2003, filed the present appeal. It appears that appellant No. 1 made a representation on 20.07.2011 to the Joint Commissioner (Land Reforms), Erode, District - Periyar, Tamil Nadu, raising certain grievances with regard to his lands in Survey Field Nos. 715, 716 and 395/2 of Village Kurudampalayam, Periyanaickenpalayam, District - Coimbatore, Tamil Nadu. Acting thereupon, the Joint Commissioner (Land Reforms), Erode, issued letter dated 08.08.2011, directing the Special Revenue Inspector (Land Reforms), Erode, to take

suitable action upon the said representation after carrying out field investigation and to submit the village accounts along with a detailed report.

However, in the meanwhile, this Court passed an order of *status quo* in Civil Appeal No. 19663/2017 on 08.08.2011 and, in consequence, no further action was taken upon the letter dated 08.08.2011, referred to *supra*.

However, as Civil Appeal No. 19663/2017 was disposed of today, by way of a separate order, the order of *status quo* therein does not remain in operation any longer and it would be open to the appellant to appear before the Revenue Inspector (Land Reforms), Erode, and request him to take necessary action, as directed in the aforestated letter dated 08.08.2011. Needless to state, before any decision is taken in the matter, all parties who would be affected by any such decision shall be given an opportunity of hearing by the authorities concerned.

We make it clear that we have not expressed any opinion on the merits of the representation made by appellant No. 1 or the decision that is yet to be taken thereon by the authorities.

Recording the aforesaid, the appeal is disposed of.

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

CIVIL APPEAL NO. 19664 OF 2017

A third party to the litigation, which culminated in the judgment dated 21.01.2011 passed by a Division Bench of the High

Court of Judicature at Madras in Writ Appeal No. 1156/2003, filed this appeal aggrieved by the fact that his land in Survey Field No. 393/1, admeasuring 2.88 acres, in Village Kurudampalayam, Periyanaickenpalayam, District - Coimbatore, Tamil Nadu, was also included in the assignment order dated 06.02.1995 passed by the Assistant Commissioner (Land Reforms), Coimbatore.

The Secretary to Government, Revenue Department, Government of Tamil Nadu, filed a counter affidavit. Therein, he stated that the land in Survey Field No. 393/1 of the village was not transferred to the Government, as per the order issued under Section 20-A of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1961¹, and, therefore, it was not part of the assignment order dated 06.02.1995. He, however, admitted that there was a typographical error in the fair copy of the said assignment order, as Survey Field No. 398/1, which was part of the assignment, was wrongly shown as Survey Field No. 393/1. He stated further that possession was handed over to the assignees only in respect of the land in Survey Field No. 398/1 and not the land in Survey Field No. 393/1.

In the light of this unequivocal admission made by the Government of Tamil Nadu in the aforestated counter affidavit, steps shall be taken under Section 15 of the 1961 Act to rectify the bonafide/clerical mistake/error made in the assignment order dated 06.02.1995 and set the record straight.

1 "1961 Act", for short

The appeal is, accordingly, allowed to the extent indicated above.

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

.....J.
(SANJAY KUMAR)

.....J.
(ALOK ARADHE)

NEW DELHI;
NOVEMBER 27, 2025.

ITEM NO.121

COURT NO.11

SECTION XII-B

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Civil Appeal No. 19663/2017

THE SECRETARY, THE COIMBATORE
VASAVI TRUST

..... APPELLANT(S)

VERSUS

K. KARUPPASAMY & ORS.

..... RESPONDENT(S)

(IA No. 36126/2021 - APPROPRIATE ORDERS/DIRECTIONS)

WITH

C.A. No. 19665/2017 (XII-B)

C.A. No. 19664/2017 (XII-B)

Date : 27-11-2025 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KUMAR
HON'BLE MR. JUSTICE ALOK ARADHE

For Appellant(s) :

Mr. M. Sathyanarayanan, Sr. Adv.
Mr. M.P. Srivignesh, Adv.
Mr. Lakshman Raja T., Adv.
Mr. Sharavena Raghul Asr, Adv.
Mr. Mithun Kumar N, Adv.
Mr. Gokul Athithya R.P., Adv.
Mr. Manu Srinath, AOR

Mr. R. Nedumaran, Sr. Adv.
Mr. P. Soma Sundaram, AOR
Mr. Y. Arunagiri, Adv.
Mr. B Raghunathasethupathy, Adv.

Mr. M.P. Parthiban, AOR
Mr. M. Sathyanarayanan, Sr. Adv.
Mr. Vijayaragavan, Adv.
Mr. C.R. Vijyakumar, Adv.

For Respondent(s) :

Mr. Balaji Subramanian, A.A.G.

Mr. Sabarish Subramanian, AOR
Mr. Akash Kundu, Adv.
Mr. Vishnu Unnikrishnan, Adv.
Mr. Danish Saifi, Adv.

Mr. E.R. Kumar, Adv.
Ms. Swati Bhardwaj, Adv.
Mr. Siddharth Samaiya, Adv.
M/s. Parekh & Co., AOR

Ms. G. Indira, AOR

Mr. K.V. Vijayakumar, AOR

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

CIVIL APPEAL NO. 19663 OF 2017

The appeal is dismissed, in terms of the signed order.

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

CIVIL APPEAL NO. 19665 OF 2017

The appeal is disposed of, in terms of the signed order.

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

CIVIL APPEAL NO. 19664 OF 2017

The appeal is allowed to the extent indicated in the signed
order.

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

(DEEPAK GUGLANI)
AR-cum-PS

(PREETI SAXENA)
COURT MASTER (NSH)
(signed order is placed on the file)