

(1993) 10 SC CK 0074
In the Supreme Court Of India
Case No : C.A. No. 4419 of 1989

C.S. Sampath and Others

APPELLANT

Vs

Authorised Officer, Land Reforms, Kancheepuram

RESPONDENT

Date of Decision : 27-10-1993

Acts Referred:

Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1961 — Section 21, 3(14), 5, 7

Citation : (1998) 5 SCC 366

Hon'ble Judges : S. C. Agrawal, J;Kuldip Singh, J

Bench : Division Bench

Final Decision : Dismissed

Judgement

1. Srinivasa was the original landholder. C.S. Sampath, the appellant herein, is Srinivasa's son. Srinivasa transferred the land in dispute to his four grandsons and one unmarried granddaughter (children of C.S. Sampath) by a settlement dated 29-9-1970. The question before the High Court was whether the land settled by Srinivasa on his grandchildren could be clubbed with the land inherited by C.S. Sampath for the purposes of the proceedings under the Tamil Nadu Land Reforms (Fixation of Ceiling of Land) Act, 1961 (the Act). Upholding the findings of the authorities under the Act, the High Court answered the question in the affirmative and against the appellant. This appeal by C.S. Sampath is against the judgment of the High Court.

2. We have heard Mr A.T.M. 'Sampath, learned counsel for the appellant. He has taken us through the judgment of the learned Single Judge of the High Court. The learned Judge referred to Sections 3(14), 5, 7, 21-A and 22 of the Act and came to the conclusion that the land which was settled on the grandchildren has to be clubbed with the land inherited by the appellant for the purposes of the proceedings under the Act. The learned Judge reached the finding on the interpretation of the expression "family" as defined u/s 3(14) read with other provisions of the Act. We see no ground to interfere with the impugned judgment

of the High Court. We agree with the reasoning and the conclusions reached therein. The appeal is dismissed. No costs.