

(1987) 06 MAD CK 0031
In the Madras High Court

The Authorised Officer, Land Reforms

APPELLANT

Vs

M. Ramaswami

RESPONDENT

Date of Decision : 15-06-1987

Acts Referred:

Citation : (1989) 1 LW 205 : (1989) 1 MLJ 348(1)

Hon'ble Judges : V. Ramaswami, J

Bench : Single Bench

Judgement

V. Ramaswami, J.—In this case, the petitioner was originally given exemption of an extent of 9.46 acres u/s 73(vii) of the Tamil Nadu Land Reforms Act, 58 of 1961, on the ground that it was a coconut thope. Subsequently, it appears that he sold land to a third party and that third party converted the thope into an agricultural land, and the ceiling area of the original owner, namely, the petitioner herein was sought to be revised by including this land. We are of the view that it is not open to the Authorised Officer to include the same in the holding of the petitioner after he had sold the property, while it was a thope. If it was a thope it was exempt from the Act, and there was no prohibition of a sale or purchase of such thope and, if the sale is valid, any conversion of the thope by the purchaser into an agricultural land will not affect the holding of the original owner. The order of the Tribunal is therefore correct. The revision petition is accordingly dismissed. There will be no order as to costs.