

Supreme Court Judgments

Back

PARTIES S. Gururaj Vs. The Additional Chief Secretary / Commissioner of Land Administration and Ors.

DATE October 16, 2026 · New Delhi

CASE NO. [Civil Appeal No. 13629 of 2026]

BENCH S.V.N. Bhatti · N. V. Anjaria

Statutes Cited

2 found

1 The Tamil Nadu Estates (Abolition and Conversion into Ryotwari) Act, 1948, Section 11

2 SARFAESI Act, 2002, Section 14

AI Summary

IRRAC LEGAL BRIEF

Case Name: S. Gururaj Vs. The Additional Chief Secretary / Commissioner of Land Administration and Ors.

Bench: S.V.N. Bhatti, N.V. Anjaria

Issue: Whether a ryotwari patta can be legally granted in respect of land classified in revenue records as a communal water body or government poramboke under the Tamil Nadu Estates (Abolition and Conversion into Ryotwari) Act, 1948. 17

Rule: Sections 3(15), 3(16), 11, and 14-A of the Tamil Nadu Estates (Abolition and Conversion into Ryotwari) Act, 1948, which prohibit the grant of ryotwari patta over tanks, ooranies, and watercourse poramboke lands. 18

Reasoning:

- Communal water bodies and tank poramboke lands vest in the State free from encumbrances and do not constitute cultivable ryoti land under the Act, 1948. 18
- Section 14-A explicitly bars the grant of ryotwari patta in respect of any private tank or oorani and mandates the cancellation of any patta erroneously issued over such lands. 18
- Urban zoning notifications, such as a mixed residential zone under town planning laws, do not efface or extinguish the government's statutory rights and protections over public water bodies and poramboke lands. 21

Application: The subject land was consistently recorded as "Government Poramboke - Kanakkan Kuttai" in the earliest resurvey and settlement records, making it an objectionable watercourse ineligible for ryotwari patta. Although municipal authorities mistakenly approved building plans and permitted residential flat construction, these administrative errors cannot override the statutory bar under Section 14-A against alienating public water bodies. 6 25 26

Conclusion: The revenue authorities lacked jurisdiction to grant a ryotwari patta over a public water body, and the subsequent cancellation of the patta by the Commissioner of Land Administration was legally valid. 19 24

Final Holding: The civil appeals are dismissed, subject to the direction that the State Government allot a vacant, commensurate site to the flat owners before demolishing the existing structures. 28

S. Gururaj Vs. The Additional Chief Secretary / Commissioner of Land Administration and Ors.

[2026 INSC 1146]

[Civil Appeal No. 13629 of 2026]

[Civil Appeal No. 13630 of 2026]

[Civil Appeal No. 13631 of 2026]

S.V.N. Bhatti, J.

1. The Civil Appeals assail the Orders dated 11.07.2024 and 02.07.2025 in Writ Petition No. 8661 of 2020 before the High Court of Judicature at Madras. Civil Appeal Nos. 13630 and 13631 of 2026 were filed by Tamil Nadu Mercantile Bank Limited, Valasaravakkam Branch, Chennai. S. Gururaj, the flat buyer, filed Civil Appeal No. 13629 of 2026.

2. The Tamil Nadu Estates (Abolition and Conversion into Ryotwari) Act, 1948 ("Act, 1948") provides for the repeal of the permanent settlement. It also provides for the acquisition of landholders' rights in permanently settled and certain other estates in the erstwhile Province of Madras, now the State of Tamil Nadu, and for the introduction of ryotwari settlement in such estates. The Act, 1948, while doing away with the intermediary system in land regulation and administration, contemplated recognising a ryot's entitlement to protection of possession and the grant of a ryotwari patta for ryoti land.

3. "Ryot land" means1 cultivable land in an estate other than private land, but does not include:

a. beds and bunds of tanks and of supply, drainage, surplus or irrigation channels;

b. threshing-floor, cattle-stands, village sites and other lands situated in any estate which are set apart for the common use of the villagers;

c. lands granted on service tenure either free of rent or on favourable rates of rent if granted before passing of this Act or free or rent if granted after that date, so long as the service tenure subsists. Therefore, the extended definition of Ryoti land means entirable lands in an estate by a Ryot who holds it for agriculture on condition of paying rent to the landholder which is legally due other than private land.2 The consideration relates to the grant of Ryotwari Patta to Respondent No. 2 for Survey No. 572, to an extent of 0.72 acres, for land locally known as "Kanakkan Pillai Kuttai".

4. The State of Tamil Nadu, through Amendment Act No. 49 of 1974, introduced Section 14-A into the principal Act, which reads as under:

"14-A. Ryotwari patta not to be granted in respect of private tank or oorani¾

(1) Notwithstanding anything contained in this Act, no ryotwari patta shall be granted in respect of any private tank or oorani.

(2) Any ryotwari patta granted in respect of any private bank or oorani under this Act before the date of publication of the Tamil Nadu Estates (Abolition and Conversion into Ryotwari) Amendment Act, 1974, in the Tamil Nadu Government Gazette, shall stand cancelled, and for the purpose of compensation under this Act, the private tank or oorani shall be deemed to be land in respect of which neither the landlord nor any other person is entitled to ryotwari patta under this Act."

5. The controversy in the Civil Appeals turns on the District Administration's will and determination to give effect to the letter and spirit of Section 14-A of the Act, 1948.

6. The subject matter of the Civil Appeals comprises 0.72 acres out of 1.68 acres in Survey No. 572, Thirumullaivoyal Village, Ambattur Taluk (now under Avadi Taluk), Tiruvallur District, Tamil Nadu. The Resurvey and Resettlement (RSR) 'A' Register of 1911 records it as Government Poramboke - Kanakkan Kuttai. Title Deed (T.D.) No. 300 was issued in favour of Sri T.N. Venugopal Pillai for a Minor Inam, an adjacent parcel of land to the subject matter. The subject matter was treated as an appurtenance to the Inam land and known as Kanakku Pillai Kuttai.

7. The detailed narrative in the Revenue Records regarding the origin and continuity of the subject matter is not particularly relevant either to considering the challenge to the impugned Order or to disposing of the Civil Appeals. On 28.08.1980, the heirs of the late Venugopal Pillai executed a Sale Deed for 0.50 acres of the subject matter in favour of R. Kandhasamy Pillai. On 02.09.1988, A. Palanichamy Nadar purchased

0.22 acres from R. Kandhasamy Pillai via Sale Deed No. 6138/1988 and an additional 0.50 acres via Sale Deed No. 6139/1988 in Survey No. 572. Palanichamy Nadar claims ownership and possession of 0.72 acres in the subject matter of the Appeals.

On 15.11.1999, Palanichamy Nadar died intestate. His legal heirs, on 13.12.2004, executed registered Sale Deed documents Nos. 14089 and 14090 of 2004, relinquishing the 6/7th share in favour of P. Ramadoss. Thus, P. Ramadoss is the last registered holder of the subject matter. P. Ramadoss was running Sree Jayasakthi Timber Mart. On 24.05.2005, P. Ramadoss was granted Building Permit No. C 3031 by Avadi Municipality. The Appellants also relied on the fact that the Chennai Metropolitan Development Authority delineated Survey No. 572 as a "Mixed Residential Zone".

It is important to note that on 18.10.2010, for the first time, P. Ramadoss filed a petition for the grant of Ryotwari Patta before the District Revenue Officer, Tiruvallur ("DRO, Tiruvallur"). The DRO, Tiruvallur, vide Order R.C. No. 25714/2010/B1 dated 21.01.2011, granted Ryotwari Patta to P. Ramadoss. To appreciate the controversy between the parties, it is necessary to accept the consideration and conclusion recorded by the DRO, Tiruvallur, hereinunder:-

"I have carefully considered the arguments and perused the connected records. At the outset, I must mention here that the village map clearly reveals that there is no Kuttai in S.No. 572 and the Kuttai is situated only in S.No. 360 which is situated North-east of the suit land. As rightly pointed out by the Advocate it is the paramount duty of the authorities to look into the user of land to which it is put on ground and not by the wrong entries in and old records. As rightly contended by the Advocate for the claimant every citizen has got a right to call upon the Government to discharge its duties. In Murugan Versus United states it is said:

"The vast expansion of this field of administrative regulation in response to the pressure of social needs is made paddiable under our system by adherence to the basic principles that the legislature shall approximately determine the standards of administrative action and that in judicial citizen shall be protected by the rudimentary requirements of fair play. These demands are fair and open hearing for essential, alike to the legal validity of administrative regulations and to maintenance of public confidence in the value and soundness of the important Governmental process. Such a hearing has been described as an unexercisable safeguarded."

From an entire review of the position based on facts and evidence D records; I have no other alternative excepting to hold that the claim land was never a Kuttai Poramboke but only a ryoti land covered by T.D. No. 300 and wrongly allowed to continue as Kuttai Poramboke. Therefore, under the powers delegated to me under G.O.Ms. No. 1300, Revenue Department, dated 03.10.1971, read with G.O.Ms. No. 370, Commercial Taxes, Religious Endowments Department, dated 03.10.1974. I allow a ryotwari patta in favour of Thiru. P. Ramadoss, son of S.A. Palanichamy, in respect of 72 cents out of 1.68 acres in S. No. 572 of Thirumullaivoyal in Ambathur Taluk of Tiruvallur District. In the result, the claim succeeds."

8. The above Order appears to result in consequential amendments to the Town Survey Land Register, specifically Survey No. 572/2 (T.S. No. 4/2, Block 84, Ward D). P. Ramadoss mortgaged 0.72 acres to Tamil Nadu Mercantile Bank Limited (TMB), Valasaravakkam Branch/Appellant in Civil Appeal Nos.13630 and 13631 of 2026, to secure credit facilities of Rs. 3.40 Crores.

9. P. Ramadoss executed a registered Settlement Deed dated 06.12.2012 for 0.22 acres in T.S. No. 4/2 in favour of his wife, R. Uma. On 12.08.2013, his wife executed a general Power of Attorney in favour of B. Lakshminarasimhan, proprietor of M/s. MVM Builders & Promoters. Avadi Municipality approved subdivision building plans to erect 20 residential flats across four blocks on the 0.22 acres released in favour of R. Uma. The builder constructed 20 apartments and sold them to individual flat buyers, along with an undivided share in Survey No. 572/2. The Appellant in Civil Appeal No. 13629 of 2026 is the flat owner.

10. Aggrieved by the grant of the Ryotwari Patta, a third-party objector filed a Petition on 10.02.2014 before the Additional Chief Secretary cum Commissioner, Land Administration, challenging the Order dated 21.01.2011 of the DRO, Tiruvallur. P. Ramadoss, the Pattadar, was impleaded as a respondent in the proceedings before the Commissioner of Land Administration ("CLA"). On 26.12.2019, the CLA allowed the Petition and set aside the Ryotwari Patta dated 21.01.2011 in favour of P. Ramadoss. The findings are summarised as follows:

A. On Jurisdiction and Limitation: The DRO, Tiruvallur granted Ryotwari Patta under G.O. Ms. No. 1300 (Revenue Department) dated 30.04.1971, read with G.O. Ms. No. 370 (Commercial Taxes & Religious Endowments Department) dated 03.10.1974. The statutory time limits for entertaining applications under these Government Orders expired on 30.06.1975 and 31.03.1977, respectively. Under the relevant Inam and Estate Abolition Acts (Tamil Nadu Act 26 of 1963 and Act 26 of 1948), the limitation periods ended on 31.03.1977 and 30.08.1987, respectively. The Respondent P. Ramadoss filed his Application only on 18.10.2010, several decades after the limitation periods had expired. Consequently, the DRO, Tiruvallur, had neither jurisdiction nor authority to entertain the Petition or grant Patta.

B. Classification: As per the Resettlement Register (RSR / 1911 Register), S.No. 572 (1.68 acres) is recorded as "Government Poramboke Kanakkan Kuttai". As per the Town Survey 'A' Register, the land in Ward D, Block 84, T.S. No. 4, measuring 6800 sq. meters, is recorded as "Sarkar Poramboke - Kanakkan Pillai Kuttai". Although a ground inspection found the pond no longer visible due to encroachment, the land remains legally an objectionable watercourse poramboke dedicated to public and cattle use. Granting Patta over watercourse land was strictly illegal and contrary to established law.

C. On Handling of Official Files: The then DRO, Tiruvallur, issued the Order dated 21.01.2011 without calling for any reports or records from the jurisdictional Tahsildar. Verification of the 2010 Personal Register of the dealing B1 Assistant confirmed that the current number 25714 was never entered in that seat. The Distribution Register and Tapal Register showed that the current number 25714 had been assigned to the F Section (F3) for land acquisition matters. The actual NOC/Patta Application filed by P. Ramadoss on 18.10.2010 bore file number 35714/2010, which the DRO deliberately misrepresented as 25714/2010 in the proceedings. File No. 35714/2010 was untraceable, contained no entry regarding its closure or disposal, and was never deposited in the Collectorate Record Room, thereby proving that the Order was not passed in a bona fide officiating capacity.

D. On Revenue Staff: Subordinate Revenue officials, including the Additional Personal Assistant (Land) to the District Collector, the Ambattur Tahsildar, the Section Head Clerk, the B1 Assistant, and the Taluk Survey staff, failed to object to the grant of Patta over an objectionable watercourse. They also failed to alert higher Authorities, such as the District Collector, the Director of Survey and Settlement, or the CLA, thereby leaving the fraudulent transaction concealed until a Public Welfare Body intervened.

E. Subdivision and Creation of Third-Party Rights: Following the DRO's 2011 Order, S.No. 572 was irregularly subdivided into:

i. S.No. 572/1 (900 sq. m / 0.09.0 Ha): Kanakkankuttai (presently Manikandapuram Main Road).

ii. S.No. 572/2 (2915 sq. m / 0.29.0 Ha): Patta No. 6558 in favour of P. Ramadoss, where an apartment building, MVM Aparajithapuri, was constructed on 900 sq. m, an old dilapidated building occupied 130 sq. m, and 1885 sq. m remained vacant.

iii. S.No. 572/3 (2985 sq. m / 0.30.0 Ha): Kanakkankuttai. The District Administration's inaction allowed the illegal construction of multi-storey apartments and the subsequent sale of flats to innocent thirdparty purchasers who were kept unaware of the fraudulent title.

F. Cancellation of Order & Patta: The Order of the then DRO, Tiruvallur (Rc. No. 25714/2010/B1) dated 21.01.2011, and the consequential Patta issued to P. Ramadoss were cancelled. The District Collector was directed to resume and restore the land as Government poramboke, make the necessary entries in the Prohibitory Order Book (POB), and report compliance within 15 days.

G. Disciplinary and Criminal Proceedings: The District Collector was directed to initiate severe disciplinary action and file criminal cases within 15 days against the then DRO, Tiruvallur, all subordinate officials involved, and any other officials found complicit in facilitating the fraud.

11. Tamil Nadu Mercantile Bank Limited, the Appellant in Civil Appeal Nos. 13630 and 13631 of 2026, filed Writ Petition No. 8661 of 2020 challenging the Order dated 26.12.2019 passed by the CLA. The impugned Order dismissed the Writ Petition. The summary of the conclusions is stated hereunder:-

A. The High Court adopted the factual and legal conclusions recorded in paragraph 15 of the Commissioner of Land Administration Order dated 26.12.2019, which characterise the 2011 DRO, Tiruvallur grant of patta as a product of administrative fraud.

B. The land was classified as "Kanakkankuttai" before and throughout the settlement proceedings under the Act, 1948. Communal water bodies vest in the State free from all encumbrances and cannot be granted on patta to either ryots or erstwhile landholders.

C. Section 14-A of the Act, 1948 expressly bars the grant of patta even in respect of private tanks or ooranis and mandates the cancellation of any patta erroneously or mistakenly issued over such lands. The DRO, Tiruvallur, had no authority to reclassify communal poramboke land into ryoti land. The power of reclassification under Section 20-A of the Tamil Nadu Estates Land Act, 1908, was extinguished upon its repeal by the Act, 1948.

D. That G.O.Ms. No. 1300 dated 30.04.1971 applied strictly to ryoti lands in continuous occupation and could never authorise regularisation or grant of patta for water bodies.

E. That Tamil Nadu Mercantile Bank is a mere mortgagee claiming under P. Ramadoss. Because P. Ramadoss procured the patta by fraud over Government watercourse land, the mortgage created no valid charge against the State. Since the Bank's mortgagor had no marketable title, hearing the Bank would have been an empty formality that could not alter the legal character of a public water body.

F. The Court directed the District Administration to evict all occupants, demolish all unauthorised residential and commercial structures across the entire 1.68 acres of Survey No. 572, and restore the water body within 16 weeks.

G. The Court ordered the District Collector, Tiruvallur, to inquire into the fraudulent issuance of the 2011 Patta, initiate disciplinary and criminal proceedings against all responsible officials, bar them from key posts, and place them under surveillance by the Vigilance and Anti-Corruption Department.

H. The Court dismissed the Writ Petition while preserving the Bank's statutory liberty to proceed against the borrower/mortgagor under SARFAESI and to initiate criminal proceedings, excluding the period of writ pendency from limitation under Section 14 of the SARFAESI Act, 2002.

12. Accordingly, the flat owner and Tamil Nadu Mercantile Bank Limited have filed Civil Appeal Nos. 13629-13631 of 2026, challenging the impugned Order.

13. We have heard Mr. T. Raja, learned Senior Counsel and Mr K.S. Mahadevan, learned Counsel for the Appellants and Ms. Jayasree Narasimhan, Counsel for the Respondents.

14. Counsel for the Appellants argue that the impugned Order assumes that the subject matter of the Civil Appeals is a tank. This finding is baseless, and the existence of the tank is recorded by reference to an Order passed by the High Court in Writ Petition No. 10075 of 2018. According to him, the Court made no such finding in that Writ Petition. The Chennai Metropolitan Authority has shown the subject land as a "Mixed Residential Zone". The zonal development plan conclusively proves that the subject land is ryotwari land and not a water body. The DRO, Tiruvallur, is competent under G.O.Ms. No.1300 dated 30.04.1971 read with G.O.Ms. No.370 dated 03.10.1974, to entertain a petition for the grant of Ryotwari patta. The Commissioner of Land Administration did not hear the bank, the flat owners, or any bona fide purchasers of land. Section 14-A of the Act, 1948, is not attracted to the circumstances of the case.

15. Advocate Jayasree Narasimhan argues that the earliest resurvey and settlement record of 1911 described the subject matter as "Government Poramboke - Kanakkam Kuttai". The Registered Deed inter se parties does not affect the rights possessed under the Act, 1948, by the Government/Local Bodies. The DRO, Tiruvallur, exercised jurisdiction not available to him. Without prejudice to the first contention, it is argued that the DRO, Tiruvallur, acted beyond the record. The survey and settlement operations, concluded long ago by the grant of ryotwari pattas, were followed by renewed efforts as late as 2010 to secure a ryotwari patta with urbanisation. The Revenue Officer does not have jurisdiction to grant a patta for non-ryoti land, i.e., communal land, Government Poramboke, bank, forest, etc.

After examining the record, the CLA rightly set aside the patta dated 21.01.2011. The Assignee/P. Ramadoss did not challenge the CLA Order dated 26.12.2019, but as Mortgagee, Tamil Nadu Mercantile Bank Limited questioned it in Writ Petition No. 8661 of 2020. The impugned Order rejected the challenge for valid and available reasons. To protect non-ryoti land from being granted as ryotwari pattas, the State Legislature enacted Section 14-A of the Act, 1948, and nullified pattas granted prior to the amendment for private land or oorani. Section 14-A further deems that, for private land or oorani, the landholder or any other person is entitled to a ryotwari patta under the Act, 1948. Therefore, the Government's development work is for the restoration of a water body, and no exception can be made.

16. We have perused the record, including the latest Report dated 09.10.2026, filed by the District Collector, Tiruvallur. The said Report is made part of this Judgment.

17. The Appellant takes exception to the Order dated 26.12.2019 on the ground that no Authority has adjudicated that the subject matter of the Appeal is a tank. In our considered view, this contention appears untenable because the Act, 1948 does not require adjudication to protect communal Government Poramboke, etc. Simply put, the Ryotiwari tenures under the Act, 1948 apply to Ryoti land covered by the said Act. The inquiry in this behalf determines the nature of the land, the type of enjoyment, the period of enjoyment, and the entitlement to grant of patta.

18. In Salem Municipality v. P. Kumar and Others,3 this Court considered the definitions under Sections 3(15), 3(16) and 14-A(1) of the Act, 1948. The background in the Judgment concerns a tank and tank bund. Between 1940 and 1946, Zamindar Ganambal granted multiple seasonal 8-month leases (November-June) for the "Chinneri Tank Bund" dry wasteland to S. Vijayaranga Mudaliar, who held possession before the July monsoon submergence. Following the enactment of The Tamil Nadu Estates (Abolition and Conversion into Ryotwari) Act, 1948, the land vested in the State, and the Government took possession on 12.01.1951. Despite Mudaliar's eligibility for a Ryotwari Patta under Section 11 of The Tamil Nadu Estates (Abolition and Conversion into Ryotwari) Act, 1948, the plaintiff, P.C. Pachiappan, purchased the 4.91-acre suit property on 29.09.1952.

The Plaintiff's Applications for a Ryotwari Patta were rejected because the land constitutes "Achuvan Eri", i.e., a Class IV irrigation lake, and must be preserved as a submergible tank for local farmers (ayacutdars). On 23.02.1984, the State Government transferred the entire 24.62-acre area to the Salem Municipality for a new bus stand. In response, the Plaintiff filed three successive Suits for declaration of title and injunctions, culminating in the High Court, where the judgment of the First Appellate Court was set aside. In the above factual background, the following paragraphs are excerpted:

"19. It is apparent from the definition of "ryot" as defined under Section 3(15), means a person who holds the land for the purpose of agriculture. It is necessary for such a "ryot" to hold "ryoti land" in an estate. Ryoti land has been defined in Section 3(16) as cultivable land in an estate other than private land but does not include beds and bunds of tanks and of supply, drainage, surplus or irrigation channels. Thus, as the area in question formed part of the tank it was clearly not ryoti land as per the said definition in Section 3(16). As such, the predecessor-in-interest S. Vijayaranga Mudaliar or the plaintiff could not be said to be "ryot" holding "ryoti" land.

28. Section 14-A(1) makes it clear that notwithstanding anything contained in this Act, no ryotwari patta shall be granted in respect of any private tank or ooranies. Even if any patta has been granted the same shall stand cancelled and the land of the private tank or oorani shall be deemed to be land of neither the landholder nor any other person is entitled to ryotwari patta under the Act.

29. It is apparent from the conjoint reading of the provisions contained in Sections 3(15) and 3(16) of the 1908 Act and the provisions contained in Sections 3, 11 and 14-A of the 1948 Act that the land of the tank is not "ryoti land" as such no rights of "ryot" could accrue in the person by holding the land on temporary arrangement of lease granted for 8 months in a year when water was not there in the tanks. Such bodies are protected by virtue of the aforesaid provisions carved out under the Acts of 1908 and 1948. The amendment made in 1974 in Section 14-A makes it clear that even if any ryot patta has been granted to any incumbent even with respect to private tank or ooranies, that shall be inoperative and stand cancelled."

18.1 Finally, it was held that the Revenue entries show that the entire area of 24.62 acres had been recorded as a tank continuously from 1950 to 1995. Since the land formed part of a tank reserved for common use, no right accrued to the plaintiff to claim Ryotwari Patta, as his predecessor was not a Ryot and the disputed land was not Ryotwari land. The vendor did not hold the land for 12 consecutive years, so no right, title, or interest accrued to the Vendor or the Plaintiff.

19. Therefore, non-Ryoti lands do not fall within the scope of granting a patta under the Act, 1948. Whenever a dispute arises over entitlement to a patta, the nature of the land is determined by appreciating entries in the earliest Revenue Records, including Survey and Settlement Records. The Appellants do not contend that the Revenue Records show the subject matter as Ryoti land during the Survey and Settlement operation or the contemporaneous faslis. Since the Appellants claim a Ryotwari patta, they must establish the ingredients for the land to be termed Ryoti land and that P. Ramadoss is entitled to a Ryotwari Patta. Accordingly, the first objection to the impugned Orders is rejected.

20. It is argued that, under the Tamil Nadu Town and Country Planning Act, 1971 ("Act, 1971"), the urban area development plan for the land has been notified as a "Mixed Residential Zone". Therefore, the basis of the Commissioner's Order or the Writ Court's Order is completely effaced, and consequently the cancellation of the Ryotwari Patta vide Order dated 26.04.2019 is illegal.

21. The Statement of Objects and Scope of the Acts of 1971 and 1948 is noted. Therefore, notifying a block of area in the development zone as commercial, industrial, residential, or mixed residential/mixed-use cannot be construed as taking away the Government's rights in Poramboke lands, forests, water bodies/tanks, etc. The said argument does not take into account that zoning regulations are not confined to a single survey number but apply when an individual undertakes development activity in the notified area. The development of a plot conforms to the notified zoning requirement. Reference to the subject matter being in a mixed residential zone, either in fact or in law, cannot be treated as effacing the effect of Section 14-A of the Act, 1948.

22. It is further argued that the CLA did not hear the Mortgagee and the flat owners while setting aside the Ryotwari Patta. This argument requires examining whether the CLA heard no one or only the person interested in the subject matter when passing the Order dated 26.12.2019. The Appellants claim that P. Ramadoss, who continues to hold an interest in the balance extent of the subject matter, was heard, and that the flat buyers were not heard during the pendency of the proceedings before the CLA. The objection on the ground of denial of opportunity is not available to the Appellants because the Notice was issued to the person who had the Ryotwari Patta in his favour and claimed an interest in the property.

23. It is argued that the Revenue Records do not record the subject matter as a water body but instead record it in the names of private individuals. This argument is far removed from the Revenue extracts on which the CLA passed the Order dated 26.12.2019. The record filed by the State reinforces that the subject matter has been classified as a tank/Government Poramboke in the Revenue Records from the earliest point in time. This ground is equally untenable and warrants rejection.

24. Section 14-A of the Act, 1948, prohibits officers from considering and granting Ryotwari Patta for non-Ryoti land. The Legislature designed a prohibitory mechanism to prevent changes in land classification. The said Section even renders the Order already issued void. That being the statutory scheme, the DRO, Tiruvallur, without any reason, went beyond the provisions of the said Act and granted Patta.

25. The above consideration records findings on the Appellants' entitlement to any relief in the Civil Appeals in relation to the subject matter. Other circumstances in the matter include the grant of Permit No. C 3031 on 24.05.2005 by the Avadi Municipality for establishing the timber mart; the revenue department changed the Town Survey Land Register and approved the subdivision of the subject matter; the Avadi Municipality approved the building plans for the construction of apartments; and, as per the Report dated 09.10.2026 of the District Collector, Tiruvallur, the present existence of apartments is to an extent of 0.22 acres. The impugned Judgment directed the demolition of the existing structures and the restoration of the water body.

26. In the present case, the Municipal Administration has approved and sanctioned the building plans. The Revenue, without realising its obligation under Section 14-A of the Act, 1948, is changing the nature in the Town Survey Land Records. These permissions/Orders lead a bona fide purchaser to believe that the subject matter is available and free from any objectionable use. The Court is constrained to observe that a bona fide purchaser for consideration looks at the presumptive value of entries and town survey records while purchasing the property. At the government's convenience, the nature of the land is changed. The remedies against the developer and the landowner are independent, but the State and its officers ought not to be allowed to pass on without paying the price for such willy-nilly felicitation by the officers of the State.

27. Because of these Orders and Revenue Records, the flat owners have been led to believe that the Government has no interest under Section 14-A of the Act, 1948. Therefore, directing the demolition of flats without examining the hardship of the flat owners and the independent remedies available to them in law against the owner of the land and the developer of the apartments would cause irreparable financial injury and throw the families on the streets. In the circumstances of the case, to ameliorate the possible hardship and, without committing a breach of Section 14-A of the Act, 1948, we direct the Chief Secretary, State of Tamil Nadu, and the District Collector, Tiruvallur, to allot a vacant, commensurate site to the owners of the flats represented by the Society, preferably within 6 months from today, and thereafter to undertake the demolition of the constructed area to an extent of 0.22 acres.

28. Subject to the above direction, we see no reason to interfere with the impugned Judgment. The development work in the vacant and unoccupied area may be completed expeditiously without hindrance. The flat owners and the Appellant Bank are free to avail themselves of the remedies in law against the developer/Owner/Mortgagor, as the case may be, before the Competent Civil Court. The State Government is free to initiate or conclude disciplinary action against the erring Officers for failing to maintain the records and water bodies.

29. For the above consideration and reasons, the Civil Appeals are dismissed. No order as to costs.

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

.....J. [S.V.N. Bhatti]

.....J. [N. V. Anjaria]

New Delhi;

October 16, 2026.

1 P Ramanatha Aiyar: Advanced Law Lexicon, 7th Edition, Vol. 4, Pp. 5657.

2 State of T.N. v. His Holiness Srilla Ambalavana Pandara Sannadhi Adheenakaratha and Others, (1997) 9 SCC 313.

3 (2019) 13 SCC 307.

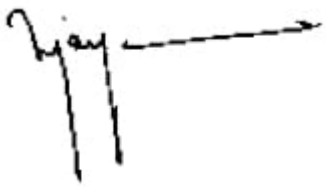
In The Matter of:
Tamil Nadu Mercantile Bank Ltd. represented by its Authorized Officer Vs. The Additional Chief Secretary / Commissioner of Land Administration, Chennai & Ors.

[Special Leave Petition (C) Diary No. 47662 of 2024]

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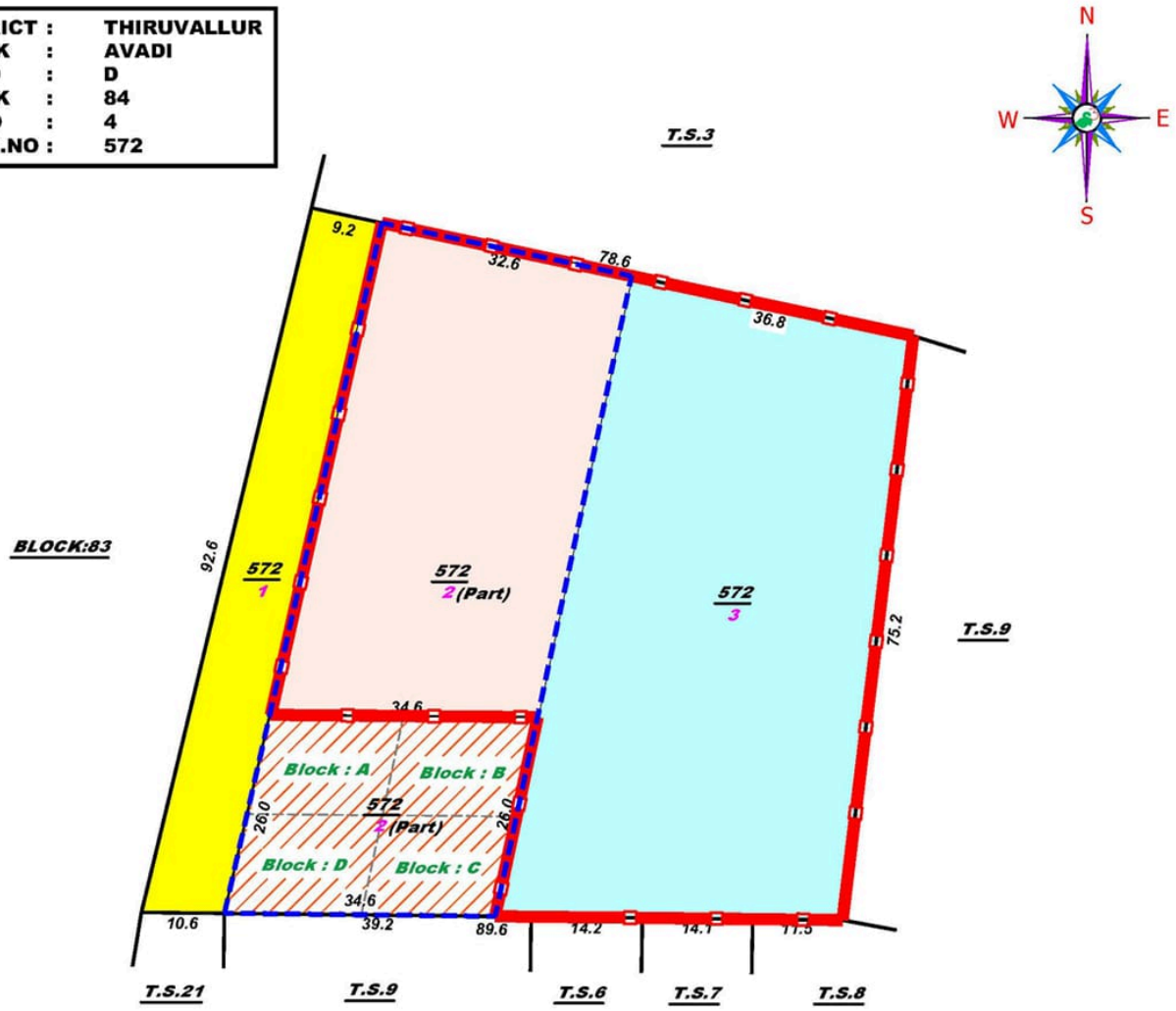
JAYASREE NARASIMHAN
Advocate for the Petitioners
CC No- 2601
142, New Lawyers Chambers,
Supreme Court of India,
New Delhi - 110001
Mobile No.-8826717631

Dated: 09.10.2026

1

FIELD MAP SHOWING THE DETAILS OF THE EXISTING CONSTRUCTION IN SURVEY NUMBER 572 OF THIRUMULLAIVOYAL VILLAGE, AVADI TALUK AND THIRUVALLUR DISTRICT.

DISTRICT	:	THIRUVALLUR
TALUK	:	AVADI
WARD	:	D
BLOCK	:	84
T.SNO	:	4
OLD S.NO	:	572

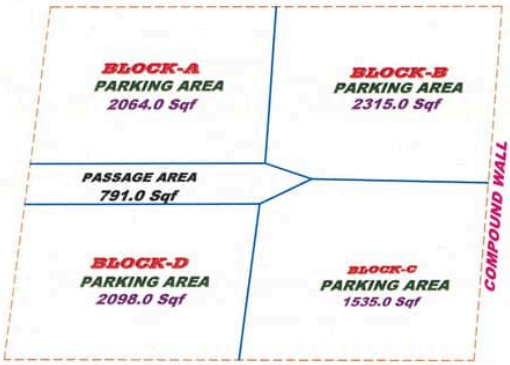


Sl.no	Survey Number	Extent (Hectare/ cent)	Colour Remarks	Physical Status	Remarks
1.	S.No: 572/1	0.09.00 Hectare (22.0 Cent)		Existing Road	The road is being used by the general public.
2(a)	S.No: 572/2 (Part)	0.20.00 Hectare (50.0 Cent)		Vacant Land	All encroachments have been removed and the land has been retained as vacant land(Subject land involved in this case).
2(b)	S.No: 572/2 (Part)	0.09.00 Hectare (22.0 Cent)		Apartments consisting 20 flats	Subject land involved in this case.
3.	S.No: 572/3	0.30.00 Hectare (74.0 Cent)		Vacant Land	All encroachments have been removed and the land has been retained.
4.	S.No: 572/2 (part) and 572/3	0.20.00 Hectare (50.0 Cent) in S.No 572/2(Part) and 0.30.00 Hectare (74.0 Cent) in S.No 572/3.		A compound wall has been constructed, and one pit has been dug	The construction was carried out by the Avadi Municipal corporation.

District Collector
Thiruvallur

FIELD MAP SHOWING THE DETAILS OF THE EXISTING CONSTRUCTION IN SURVEY NUMBER 572/2 PART OF THIRUMULLAIVOYAL VILLAGE, AVADI TALUK AND THIRUVALLUR DISTRICT.

GROUND FLOOR PLAN:





FIRST FLOOR PLAN:



SECOND FLOOR PLAN:



TOTAL NUMBER OF FLATS : 20

Si.No	Block	Flat	Flatable Area in Sqf	Total UDS area in Sqf
1	A	AF1	979	569
2	A	AF2	927	541
3	A	AS1	979	569
4	A	AS2	927	541
5	B	BF1	861	503
6	B	BF2	843	493
7	B	BF3	524	297
8	B	BS1	861	503
9	B	BS2	843	493
10	B	BS3	524	297
11	C	CF1	877	512
12	C	CF2	808	473
13	C	CF3	525	298
14	C	CS1	877	512
15	C	CS2	808	473
16	C	CS3	525	298
17	D	DF1	979	569
18	D	DF2	927	541
19	D	DS1	979	569
20	D	DS2	927	541

Si.No	BLOCK DETAILS	PLOT AREA	NO OF FLATS	GROUND FLOOR	FIRST FLOOR AREA	SECOND FLOOR AREA
1.	A-BLOCK	2064.0 Sqf	4	9583.0 Sqf (PARKING, SET BACK, PASSAGE AREAS INCLUDED)	1334.0 Sqf	1334.0 Sqf
2.	B-BLOCK	2315.0 Sqf	6		1523.0 Sqf	1523.0 Sqf
3.	C-BLOCK	2315.0 Sqf	6		1535.0 Sqf	1535.0 Sqf
4.	D-BLOCK	2098.0 Sqf	4		1306.0 Sqf	1306.0 Sqf
5.	PASSAGE AND STILT	791.0 Sqf	-		-	-
	TOTAL	9583.0 Sqf	20	9583.0 Sqf	5698.0 Sqf	5698.0 Sqf

District Collector
Tiruvallur.


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