



2026 INSC 407

NON-REPORTABLE

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

SPECIAL LEAVE PETITION (C) NOS. 24430-24431 OF 2019

The Secretary, Government of Tamil Nadu,
and others Etc.

... Petitioners

versus

S. Raja and others Etc.

... Respondents

with

SLP (C) No. 26314 of 2019

SLP (C) (Diary) No. 2594 of 2021

and

Contempt Petition Diary No. 5891 of 2026

J U D G M E N T

SANJAY KUMAR, J

1. In Special Leave Petition (C) Nos. 24430-24431 of 2019, officials of the Government of Tamil Nadu assailed the common order dated 25.09.2019 passed by a division bench of the Madras High Court in W.P. Nos. 11156 of 2018 and 24500 of 2019. Their limited grievance centred around the fact that the division bench had vacated the interim order of *status quo* which was passed in and remained subsisting during the pendency of W.P. No. 11156 of 2018, while passing the common order.

2. Special Leave Petition (Civil) No. 26314 of 2019 was filed by Casagrand Builder Private Limited, aggrieved by the common order dated 25.09.2019 insofar as it pertained to its writ petition, viz., W.P. No. 24500 of 2019. Special Leave Petition (C) (Diary) No. 2594 of 2021 was filed by one C.E. Satyanarayana Reddy assailing the common order dated 25.09.2019 in relation to both the writ petitions.

3. By order dated 21.10.2019, while issuing notice in SLP (C) Nos. 24430-24431 of 2019, this Court directed *status quo* existing as on that date to be maintained by the parties. On 13.11.2019, this Court issued notice in SLP (Civil) No. 26314 of 2019 and tagged it with SLP (C) Nos. 24430-24431 of 2019. Several applications came to be filed in these matters by third parties claiming that they were allottees/landowners/flat owners who were adversely affected by this Court's *status quo* order.

4. Writ Petition (C) No. 11156 of 2018 was purportedly filed as a public interest litigation by S. Raja, respondent No. 1 herein. We may note, at this stage, that S.Raja remains elusive even as on date, as he did not enter appearance before this Court. In any event, he sought a direction in his writ petition to the authorities to inspect the records of Thazhambur Village in Kancheepuram District to ascertain whether encroachments were made and to take necessary steps in that regard. His grievance was mainly in relation to the land allotted to C.E. Satyanarayana Reddy, the 6th respondent therein, under pattas issued *vide* proceedings dated

18.12.1988 of the Tahsildar, Chengalpattu Taluk, Kancheepuram District. His allegation was that the 6th respondent sold land in excess of what had been allotted to him and the transactions were wholly illegal. In that regard, reference was made by him to the land allotted to freedom fighters in Thazhambur Village, *vide* proceedings dated 07.06.1966, which was also sold. The proceedings dated 07.06.1966 of the Tahsildar, Chengalpattu, whereby assignment was made to 36 freedom fighters, related to lands in Survey Nos. 158/1 & 2, 159/1, 161/1 & 2, 162/1, 2 & 3, 163/1, 2 & 3, 164/1, 165/1 & 2, 166/1, 2 & 3, 167/ 1 & 3, 168/1 & 2, 169/2, 3 & 4, 170/1, 2, 3 & 4 and 171/1, 2, 3 & 4 of the village. He also alleged that the 6th respondent had sold 15 acres of the land allotted to him to the 7th respondent therein, viz., Casagrand Builder Private Limited, and the said transaction was without authority, as the very allotment was illegal.

5. During the pendency of the said writ petition, the Government of Tamil Nadu issued G.O. Ms. No. 283, Revenue & Disaster Management Department, Land Reforms Wing LR-2(1) Section, dated 09.08.2019, constituting a committee to probe the illegal land transactions in Thazhambur Village and submit a report within two months.

6. Taking note of this development, the division bench observed that the purpose of the public interest writ petition filed by S. Raja had been achieved and opined that no further directions were required therein. The division bench, accordingly, disposed of W.P. No. 11156 of 2018 by the

order dated 25.09.2019 and vacated the interim order of *status quo* passed therein.

7. Parallely, Casagrand Builder Private Limited had filed W.P. No. 24500 of 2019 assailing G.O. Ms. No. 283 dated 09.08.2019. Adverting to that writ petition in its order dated 25.09.2019, the division bench opined that it could not pre-empt or cut short the enquiry in the matter and, particularly, a discreet enquiry as was directed by the State Government. The division bench opined that no cause of action had arisen at that premature stage for Casagrand Builder Private Limited to challenge an administrative order initiating a discreet enquiry. The said writ petition was, accordingly, disposed of by the same order. The division bench expressed the hope that the enquiry initiated thereunder would be completed within six months from that date. The division bench also made it clear that, in the event any action, notice or order was passed against any person after completion of the enquiry, the said person would be free to avail his legal remedy in accordance with law.

8. As stated earlier, the only reason for the authorities to approach this Court was the fact that the *status quo* order passed in the W.P. No. 11156 of 2018 had been vacated by the division bench while passing the final order dated 25.09.2019. We may also note that the operative portion of the order was, in fact, in favour of the authorities as the division bench refused to interdict the enquiry that they had initiated. However, though

G.O. Ms. No. 283 dated 09.08.2019 required the report to be submitted within two months and the division bench had expressed the hope that the enquiry would be completed within six months from the date of the order dated 25.09.2019, the matter is still in limbo and is yet to attain finality.

9. On 06.12.2022, this Court was informed that the enquiry had been completed and the State Government was asked to produce the 'discreet enquiry report' in a sealed cover. The learned counsel for the State was also asked to obtain instructions as to whether that report would be made public and the procedure that would be followed in that regard. Again, on 18.11.2024, this Court permitted the State Government to undertake the exercise of examining the enquiry report so as to indicate what action it proposed to take thereon and to file an up-to-date status report within three months. In the meanwhile, the State Government was restrained from taking coercive action without the permission of this Court.

10. Thereafter, on 29.04.2025, three more months' time was granted by this Court to the State to comply with the earlier order dated 18.11.2024. It was made clear that if a complete report, in terms of that order, was not filed on or before 31.08.2025, the State and its authorities would be liable to pay costs of ₹1 lakh per month to the Tamil Nadu State Legal Services Authority, with effect from 01.09.2025. It was also clarified that, if the complete report was not filed, the *status quo* order was liable to be varied or modified.

11. The order also recorded that these peremptory directions were being issued in view of the inconvenience and difficulty being faced by the respondents in the litigation, which was pending since the year 2019. It was noted that the respondents had pointed out that pattas were issued by the authorities way back in 1998 and this Court left it open to the authorities to indicate and specify the areas which were free from disputes, duly informing the respondents. It was also stated by some of the respondents that they had purchased the lands pursuant to Court proceedings and there was no dispute with regard to ownership over such lands. Further, a copy of the report or interim report, as directed in the order, was to be furnished to the respondents and the interveners.

12. On 16.09.2025, this Court was informed that the matter had been placed before the Cabinet and a final decision was awaited. This Court directed that the needful in that regard should be completed within three months without fail. While so, the Government of Tamil Nadu thought it fit to bring out G.O. (Ms). No. 126, Revenue & Disaster Management Department, Land Reforms Wing, LR. (2)1 (Section), dated 03.02.2026, again constituting a Committee chaired by Justice K.P. Sivasubramaniam, a retired Judge of the Madras High Court, to examine the enquiry report, find out the irregularities and illegalities in 'the Anadheenam lands involved in Thazhambur Village' and recommend options to the Cabinet. A copy of the said G.O. was placed before this Court on 04.02.2026.

Taking note of the fact that the said G.O. fixed a time frame of forty five days for the exercise to be undertaken, this Court adjourned the matter to enable completion of the examination of the enquiry report within the time fixed in the G.O. and for a decision to be taken thereon by the authorities concerned. This Court also made it clear that pendency of the special leave petitions would not preclude the State and its authorities from providing basic amenities, such as water and sewerage, to the flat buyers who were in occupation of the 450 flats said to have been built on the subject lands.

13. While so, IA No. 89275 of 2026 was filed by an Additional Chief Secretary of the State Government on the strength of the letter dated 13.02.2026 of Justice K.P. Sivasubramaniam (Retd.) seeking at least four months to complete the exercise entrusted to him under G.O. Ms. No. 126 dated 03.02.2026. On the strength of this letter, a prayer was advanced before this Court to grant such further time as this Court deems fit and proper. Upon a query as to whether the State Government, which had fixed a time frame of forty five days in the G.O., had also extended time in terms of the request made by the learned Judge, no answer was given.

14. The aforestated facts demonstrate that the scope of the special leave petitions filed by the authorities was very much limited, as their only grievance was with regard to the vacating of the *status quo* order by the division bench, while disposing of the matters by the final order dated

25.09.2019. However, neither has the State Government abided by the time frame of two months fixed in its initial G.O. Ms. No. 283 dated 09.08.2019 nor has it fulfilled the hope expressed by the division bench that the enquiry should be completed within six months. Despite the passage of over six years since the passing of the common order dated 25.09.2019, the State Government and its authorities are nowhere near taking a decision in the matter.

15. This being one aspect of the matter, we are informed by the learned counsel appearing for the respondents and for the many interveners who have come into the picture that, much water was allowed to flow under the bridge over the years, whereby third party interests have come in but the authorities are blithely ignoring the same and clamouring to turn back the clock so as to take coercive action in relation to lands which were allotted and parted with long ago. In this regard, we are informed that pattas were issued in relation to several lands in Thazhambur Village over a period of time. Reference is made to Patta dated 07.06.1966 in relation to the land in Survey No. 165/2 and possession of the land covered by the said patta was delivered on 29.12.1995. Similarly, 5 acres of land in Survey No. 163/1 of the village is covered by Patta No. 106 dated 03.03.2009 issued in favour of C.E. Satyanarayana Reddy. This patta also related to the lands in Survey Nos. 163/2 (5 acres) and 164/2 (5 acres) of the village. It is stated that Casagrand Builder Private Limited, the petitioner in SLP (C)

No. 25314 of 2019, built 333 villas in these lands and sold the same. The possession of the villas was also delivered to the buyers in the year 2017.

16. As regards, the land admeasuring 5 acres in Survey No. 161/1 of the village, the same is covered by Patta No. 702 dated 28.12.1998 issued in the name of Samyuktha Paramahamsan. This land was sold to Casagrande Civil Engineering Private Limited, which is not a party to this litigation. The said company undertook construction of 482 flats on the land and upon completion, possession thereof was handed over to the buyers in 2019 and 2020. We are informed that 453 out of 482 flats have been sold. 161 flats have been registered in the names of buyers while 292 flats remain unregistered but possession was handed over in 2020. Apropos Survey Nos. 139, 140 and 141 of the village, admeasuring 4.95 acres, 5 acres and 5 acres respectively, Patta No. 679 dated 27.08.1963 was issued to Pandit Sethuraman (Sy No. 139); Patta No. 680 dated 07.12.1963 was issued to S. Nagarathinam (Sy No. 140) and Patta No. 682 dated 07.12.1963 was issued to Lakshmi (Sy No. 141). These lands were sold to Casagrande Grace (P) Limited, which is also not a party to this *lis*. This land is stated to be vacant as on date.

17. One of the interveners, Shri Balaji Charitable and Educational Trust, claims that it established Agni College of Technology in the year 2001 and a portion of its property is covered by this litigation. The Trust claimed that it purchased 26.22 acres of land in Survey No. 149, 150, 148/1, 146, 145/1

and 142 of Thazhambur Village from patta holders under registered sale deeds in 1999. The Trust states that, owing to the *status quo* order passed by this Court and the coercive steps taken by the authorities, it was unable to take up essential development work, including infrastructure expansion. The Trust pointed out that its land was separate and distinct from the lands in Survey Nos. 162/1, 163/1 & 2 and 164/1 & 2, which were the subject matter of the litigation before the Madras High Court.

18. Reference is also made to the fact that the one Perumalsamy purchased 828.72 acres of land in Survey Nos. 161/2, 163/1 and 2, 164/2 through a Court auction in EP No. 298 of 1929 in OS No. 279 of 1921 on the file of the District Munsiff's Court, Chengalpattu. Thereafter, when the lands vested in the Government under the provisions of the Tamil Nadu Estates (Abolition and Conversion into Ryotwari) Act, 1948, pattas were issued independently by the Government. It was in this regard that pattas were issued to C.E. Satyanarayana Reddy and his family members in 1997 and 1998. However, the Government then issued G.O. Ms. No. 164 dated 23.03.2000 cancelling the earlier G.O., whereby the delay in the filing of applications for pattas by C.E. Satyanarayana Reddy and his family members had been condoned. C.E. Satyanarayana Reddy and others filed W.P. No. 7346 of 2000 and batch assailing this action and the said writ petitions were allowed by the Madras High Court on 13.05.2003. Writ Appeal Nos. 2785-2787 of 2003 filed by the State Government,

challenging the orders allowing the writ petitions of C.E. Satyanarayana Reddy and others, were dismissed on 27.04.2004. This decision attained finality, as the State Government did not choose to take the matter further. Pursuant thereto, pattas were issued to C.E. Satyanarayana Reddy and others in 2008. Thereafter, C.E. Satyanarayana Reddy and others sold the lands allotted to them, bringing in third party interests, as noted earlier.

19. The Army Welfare Housing Organisation claims interest in the land in Survey Nos. 172/1 and 173 of the village. This land is stated to have been purchased by it in proceedings under the Securitisation And Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002, and the sale in that regard stood confirmed by the High Court. The organisation is stated to have built 852 flats on the land in question and possession was handed over to officers/soldiers from April, 2019 onwards. Fifty nine flats were stated to have been registered in the names of owners but further registrations were blocked by the State Government, citing the *status quo* order passed by this Court.

20. We do not wish to advert to further details in relation to the numerous documents that came to be executed over the past few decades in relation to various lands in Thazhambur Village, whereby creation of third-party rights multiplied manifold in favour of innocent purchasers, who came into the picture only with the hope of having their own homes. The initial enquiry based on S.Raja's writ petition seems to have now taken on a

different dimension altogether, ignoring all the past developments. Whether such an exercise can be undertaken in the guise of compliance with the common order dated 25.09.2019 passed by the division bench of the Madras High Court is open to question.

21. In any event, the process of this Court was utilised only for the purpose of prolonging the *status quo*, which was subsisting during the writ petition. Having secured a *status quo* order from this Court as long back as in the year 2019, the State Government and the authorities cannot be permitted to perpetuate the same while they drag their feet. It is an admitted fact that as many as three reports have come into existence pursuant to the enquiry undertaken by the authorities. The first such report is dated 18.03.2020. The second report is dated 18.02.2021 and the third report is dated 12.11.2021. As the authorities have now deemed it appropriate to seek the intervention of a retired Judge of the High Court to examine the enquiry report(s) and make recommendations as to the options that are available to the Cabinet, we do not consider it appropriate to say anything on the merits of the matter.

22. We may only point out that it is not open to a professed welfare State to seek to turn back the clock after several decades and attempt to undo what was done long ago. All the more so, when much water was allowed to flow under the bridge, whereby third party rights have been created, involving innocent citizens who have spent their hard-earned monies in

the hope of having a roof of their own over their heads. It is not open to the State Government to ignore the plight of such citizens and baldly claim that its lands were illegally parted with, ignoring the fact that such acts, if any, took place long ago. The Government would not be justified in seeking to wipe out transactions that are decades-old so as to claim title over lands that are now in the possession of innocent citizens.

23. Further, as it is an admitted fact that several villas and flats have been constructed in the lands in question and the same have already been sold, be it under registered documents or otherwise, occupants of such villas and flats cannot be denied basic amenities by the State authorities. It is not open to them to prolong or delay procedural formalities in that regard so as to deny fundamental amenities to such occupants. The Government and its authorities should be mindful of this aspect, as we are informed that despite our order dated 04.02.2026 no steps have been taken by the authorities to provide water and sewerage to the flat buyers who are in occupation of 450 flats in Survey No. 161/1 of the village. It is also not open to the authorities to continue to take advantage of the *status quo* order passed by this Court in 2019 at this late stage and prolong the matter unmindful of the plight of the occupants of these lands.

24. We, therefore, do not consider it necessary to keep this matter pending. Sufficient time has already elapsed since the passing of the common order dated 25.09.2019 by the division bench of the Madras High

Court and more than enough leeway has been given by this Court to the authorities to complete their exercise. The learned Judge, presently seized of the matter, has said that a minimum of four months' time would be required for him to complete his exercise, and we are of the opinion that a further period of two months thereafter would be more than sufficient for the authorities to take necessary action on the strength of his recommendations. Needless to state, while doing so, the Government shall bear in mind the third party interests that were allowed to be created over the past several decades and take appropriate decisions in that regard within lawful parameters.

25. SLP (C) Nos. 24430-24431 of 2019 are disposed of in the aforestated terms. The interim order *of status quo* dated 21.10.2019 shall stand vacated. It would be open to parties aggrieved by any further action/inaction on the part of the authorities to take recourse to appropriate remedies available to them in accordance with law.

26. As G.O. Ms. No. 283 dated 09.08.2019 has already been acted upon and several enquiry reports have been tabled, we find no grounds to interfere therewith at this stage at the behest of Casagrand Builder Private Limited. SLP (C) No. 26314 of 2019 is, accordingly, dismissed.

27. Further, we find no reason to condone the delay of 403 days in the filing of SLP (C) Diary No. 2594 of 2021 at this late stage. SLP (C) Diary No. 2594 of 2021 is, accordingly, dismissed.

28. Contempt Petition (Diary) No. 5891 of 2026 was filed by fourteen persons on the anvil of transactions allegedly made in violation of the *status quo* order dated 21.10.2019 passed by this Court. The transactions cited by them are of the years 2019, 2020, 2021 and 2022 but the contempt case was filed only on 29.01.2026. Surprisingly, the Office Report dated 07.04.2026 states that the contempt petition was filed with only a delay of 251 days. On facts, we do not find it to be so. In terms of the law laid down by this Court in ***Pallav Sheth vs. Custodian and others***¹, the limitation for initiation of contempt proceedings would ordinarily be one year from the date of commission of the contempt. As the delay in this case is clearly beyond one year, we are not inclined to condone the delay and entertain this contempt petition. The contempt petition is, accordingly, dismissed on the ground of delay.

Pending applications in all matters shall also stand disposed of.

.....J
[SANJAY KUMAR]

.....J
[K. VINOD CHANDRAN]

New Delhi;
April 22, 2026.

¹ (2001) 7 SCC 549