

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.08.2016

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.8765 of 2003

Mrs.Kuyilammal

.. Petitioner

vs.

1.Special Commissioner & Commissioner
of Land Administration,
Office of the Special Commissioner &
Commissioner of Land Administration,
Ezhilagam, Chepauk,
Chennai-600 005.

2.The Assistant Settlement Officer,
Thiruvannamalai,
Office at Ezhilagam, Chepauk,
Chennai-600 005.

3.The Tahsildar,
Tambaram Taluk,
Tambaram Sanitorium,
Chennai.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus calling for the records of the first respondent dated 14/2/03 in Ne.Mu.K1./51538/2001 and quash the same and restore the order passed by the second respondent dated 14/7/2000 in Tha.Pa.No.2/2000.

For Petitioner : Mr.K.Alagirisamy, Senior Counsel
assisted by Mr.T.Easwaradhas

For Respondents : Mr.R.Govindasamy
Special Government Advocate.

O R D E R

The primordial point urged in this writ petition is that the first respondent, namely the Special Commissioner and Commissioner of Land Administration is not having Suo Motu revisional power and therefore, the impugned order is per se unsustainable.

2. Heard the submissions of Mr.K.Alagirisamy, learned Senior Counsel appearing for the petitioner and Mr.P.Govindasamy, learned Special Government Pleader, who accepts notice on behalf of the respondents 1 to 3.

3. In the light of the Division Bench Judgment of this Court in N.Veerasingam v. Special Commissioner and Commissioner of Land Administration and Others [1996 W.L.R. 554], which has been approved in a subsequent judgment of the Full Bench of this Court in Special Commissioner and Director of Settlements v. M.Arumugam [2007 (4) CTC 538], this Court is of the view that the point urged on behalf of the petitioner is untenable. However, the petitioner, if so advised and if it is open to her under law, she is at liberty to approach the competent civil forum to establish her claim.

4. This writ petition is dismissed subject to the above observations. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

jvm

To

1.Special Commissioner & Commissioner
of Land Administration,
Office of the Special Commissioner &
Commissioner of Land Administration,
Ezhilagam, Chepauk,
Chennai-600 005.

2.The Assistant Settlement Officer,
Thiruvannamalai,
Office at Ezhilagam, Chepauk,
Chennai-600 005.

3.The Tahsildar,
Tambaram Taluk, Tambaram Sanitorium,
Chennai.

1 cc to Government Pleader, sr.44185

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