

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.02.2018

CORAM:

THE HON'BLE MR.JUSTICE K.K.SASIDHARAN
AND
THE HON'BLE MR.JUSTICE P.VELMURUGAN

W.A.No.459 of 2018

1. The Special Commissioner and
Commissioner of Land Administration
Chepauk, Chennai - 600 005.
2. The Government Polytechnic,
Rep.by its Director,
O/o. The Directorate of Tech. Education,
DOT, Anna University Campus,
Guindy, Chennai -25. ...Appellants/ Respondents

Vs

S.Alauddin ...Respondent/ Petitioner

Prayer:- Writ Appeal filed under Clause 15 of Letter Patent Act,
to set aside the order dated 05.02.2013 passed in W.P.No.25067
of 2003.

Prayer in W.P.No.25067/2003: Petition filed under Article 226 of
constitution of India to call for the records relating to the
respondents proceedings in Ni.Mu.K1/51533/2001/12813, dated
24/03/2003 and quash the same

For Appellants : Ms.Sreejyanthi
Special Government Pleader
For Respondent : Mr.J.Arul Prakasam

JUDGMENT

(Judgment of the Court was delivered by K.K.SASIDHARAN, J.)

Heard the learned special Government Pleader on behalf of
the appellants and the learned counsel for the respondent.

2. The challenge in this intra court appeal is to the order
dated 5 February 2013 in W.P.No.25067 of 2003, whereby and
whereunder the learned single Judge, even after observing that

the writ petitioner has to approach the Civil Court to declare his title, quashed the order passed by the Special Commissioner and Commissioner of Land Administration, exercising suo motu jurisdiction conferred under the Tamil Nadu Estates (Abolition and Conversion into Ryotwari) Act, 1948.

3. The University of Madras, the beneficiary of the allotment made by the Government challenged the very same order in W.A.No.95 of 2014 and the appeal came up for hearing on 23 February 2018. This Court after hearing the parties allowed the intra Court appeal by Judgment dated 23 February 2018. The issue is covered by the Judgment dated 23 February 2018 in W.A.No. 95 of 2014.

4. In view of the earlier Judgment setting aside the very same order dated 16 March 2001, this appeal is also allowed. No costs.

Sd/-
Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

arr

To

1.The Special Commissioner and
Commissioner of Land Administration,
Chepauk, Chennai - 600 005.

2.The Government Polytechnic,
Reb.by Director,
O/o.The Directorate of Tech.Education, DOT,
Anna university Campus,
Guindy, Chennai-28.

+2CC TO MR.J.ArulPrakasam, Advocate SR. No.15061
+1 CC TO The government Pleader SR.NO. 15411

W.A.No.459 of 2018

SJ(CO)
RMP (28/03/2018)