



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.02.2019

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

WP(MD)No.4105 of 2019

and

WMP(MD)Nos.3206 & 3207 of 2019

Guru A/c.DTS Theatre,
Rep.by its Proprietor,
G.Pandiyarajan

... Petitioner

Vs.

1.The Joint Commissioner,
O/o.Additional Chief Secretary /
Commissioner of Land
Administration,
Land Administration Department,
Chepauk, Chennai.

2.The District Collector,
Madurai District, Madurai - 625 020.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, to call for the records pertaining to the impugned order dated 19.02.2019 of the first respondent in RC.No.L1/3605/2019 and quash the same.

For Petitioner : Mr.J.Anandkumar

For Respondents : Mr.M.Rajarajan,
Government Advocate

ORDER

By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

2.The petitioner suffered an adverse order at the hands of the second respondent on 09.01.2019. Questioning the same, he filed an appeal before the first respondent. The first respondent dismissed the said petition filed by the writ petitioner even without hearing the writ petitioner. It has been categorically held by this Court an interim relief in such cases is automatic. The first respondent ought to have seen that if interim order is denied, the appeal



itself will become infructuous. Therefore, the order dated 09.01.2019 passed by the second respondent in Ni.Mu.No.50808/2018/C1 stands stayed till the disposal of the appeal filed by the writ petitioner before the first respondent.

3. This writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(P&A)

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Joint Commissioner,
O/o. Additional Chief Secretary /
Commissioner of Land Administration,
Land Administration Department,
Chepauk, Chennai.

2. The District Collector,
Madurai District, Madurai - 625 020.

+1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No.49053

+1 CC to M/s.J.ANAND KUMAR, Advocate SR-48864

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skm

PK/09.04.2019 : 2P/5C