

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.10.2017

CORAM:

THE HONOURABLE MR. JUSTICE M. SUNDAR

W.P.Nos.4765 & 4766 of 1990

For Petitioner : Mr.N. Imbarajan

For Respondent : Mr.J. Madanagopal Rao,
CGSC.

ORDER

M.SUNDAR, J.

Today when the writ petitions are taken up for hearing, Mr.N.Imbarajan, learned counsel appearing on behalf of the writ petitioner and Mr.J.Madanagopal Rao, learned Standing Counsel for Central Government are present.

2. I am informed by the Registry that the case files are not readily traceable.

3. Interestingly, both the learned counsel for the writ petitioner as well as the learned Standing Counsel for Central Government Mr.C.Madanagopal Rao say that they do not have the case files.

4. Though the learned counsel for the writ petitioner is diligently present before this Court, he is expressing his inability to pursue/prosecute the matter further, as he does not have the case files.

5. Under such circumstances, it is pointless to keep these writ petitions pending in this Court.

6. There is a piquant situation wherein the exact cause title in the writ petitions is not available, though the learned counsel representing the writ petitioner and the learned Standing Counsel for Central Government are before this Court.

7. As the case files are not available with any one, there is no point in keeping the writ petitions pending in this Court.

8. The writ petitions need to be dismissed for non-prosecution. Accordingly, the writ petitions are dismissed for non-prosecution. No costs.

9. At this stage, the learned counsel appearing for the writ petitioner states that he will make an attempt to identify his client and also make an attempt to get the papers from his client if possible and then prosecute the matter if anything survives.

10. Considering the fact that the writ petitions are of the year 1990 and have been pending in this Court for over 2½ decades and 2½ years (27½ years), I am not inclined to accede to the request of the learned counsel for the writ petitioner.

11. Registry is directed to prepare copy of this order with the case number and names of the learned counsel on either side mentioned supra. Obviously, Registry will not be able to give the cause title.

12. Registry is directed to make this order by itself as cause title for these cases.

Sd/-
Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

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LRS (CO)
EU (22/12/2017)

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