

W.M.P.No.23981 of 2019 in W.P.No.7791 of 2019

THE HON'BLE CHIEF JUSTICE
and
M.DURAISWAMY, J.

(Order of the Court was made by The Hon'ble Chief Justice)

Heard Mr.N.G.R.Prasad, learned counsel for the petitioners, Dr.C.Ravichandran, learned Standing Counsel for respondent nos.1 and 3, Mr.S.N.Parthasarathi, learned Government Advocate for respondent nos.2 and 4, Mr.L.Chandrakumar, learned counsel for respondent no.5 and Mr.G.Vinodh Kumar, learned counsel for respondent no.6.

2.This petition has been preferred for setting aside the order dated 08.08.2019 passed in W.P.No.7791 of 2019. By the said order, the writ petition came to be dismissed for non-prosecution, as there was no representation on behalf of the petitioners on that date as well as on the earlier date, i.e., 01.08.2019.

3.Mr.N.G.R.Prasad, the learned counsel, representing Mr.D.Vijay Krishna, learned counsel on record for the petitioners, submitted that the learned counsel on record for the petitioners, on the day when the order was passed, i.e., on 08.08.2019, was unwell and he was also unwell on the earlier date, i.e., on 01.08.2019. It was in those circumstances that the learned counsel for the petitioners could not remain present on the aforesaid dates, hence, he prayed that the order dated 08.08.2019 be set aside.

4.The learned counsels appearing for all the respondents stated that they have no objection to the order dated 08.08.2019 being set aside.

5.In view of the averments made in the affidavit in support of the petition and in view of the submissions made by the learned counsels on either side and in the interest of justice, we are of the opinion that the order dated 08.08.2019 deserves to be set aside.

Accordingly, the order dated 08.08.2019 is set aside and this miscellaneous petition is allowed. The writ petition is restored to file and be placed before Court on 05.09.2019.

sra

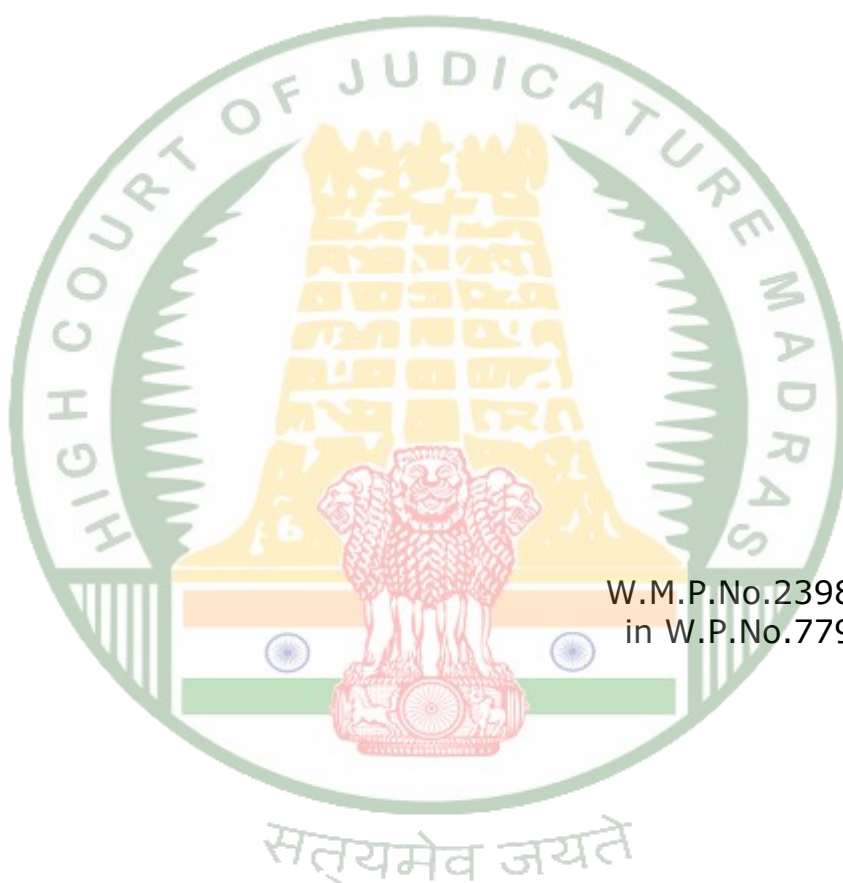
(V.K.T., C.J.) (M.D., J.)
20.08.2019



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The Hon'ble Chief Justice
and
M.Duraiswamy, J.

(sra)



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20.08.2019