

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 19.03.2019

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE**W.P. (MD) .No.9118 of 2009**

1) A.George (died)
2) Agnes George ... Petitioner

-vs-

1) The Member Secretary,
Thanjavur Local Planning Authority,
Ganapathy Nagar, Thanjavur,
Thanjavur District.

2) The Commissioner,
Thanjavur Municipality,
Thanjavur, Thanjavur District.

3) The Commissioner,
Tamil Nadu Town and Country Planning,
807, Anna Salai, Chennai 600 002 ... Respondents

**** P-2 substituted for the deceased sole petitioner vide Court order dated 27.02.2019 in W.M.P. (MD) No.3814 of 2019***

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus call for the records pertaining to the proceedings in Na.Ka.No.20905/07 DP 3 dated 12.02.2008 of the 3rd respondent and quash the same and consequently forbear the 3rd respondent from treating the land situated in Survey No.1583/3B1, Block No.41, New Ward No.1 Thanjavur Town, Thanjavur Taluk and District earmarked for Health Centre for public purpose in view of the scheme called Karanthai detailed development scheme having lapsed by virtue of section 38 of Tamilnadu Town and Country Planning Act.

(Prayer amended as per order dated 22.03.2011 made in MP(MD)No.3 of 2009)

For Petitioner	: No Appearance
For R2	: No Appearance
For R3	: Mr.M.Jeyakumar Additional Government Pleader
For R1	: Mr.M.Rajarajan, Government Advocate

**ORDER**

The instant writ petition is listed under the caption 'for dismissal' today. Though the matter is listed under the caption 'for dismissal', the learned counsel appearing for the petitioner is not willing to argue the matter and seeks for a pass-over.

2. Even during the last hearing on 12.03.2019, this Court has recorded the fact that the learned counsel for the petitioner has been repeatedly seeking adjournments in the matter and therefore, directed the Registry to post the matter under the caption 'for dismissal'.

3. In view of above facts and circumstances of this case, this Court is of the opinion that no useful purpose will be served if the writ petition is kept pending any further and it can now be inferred that the petitioner is not interested in prosecuting this case. Accordingly, the **Writ Petition is dismissed for default**. No costs.

Sd/-

Assistant Registrar (WRIT)

// True Copy //

Sub Assistant Registrar()

To

- 1) The Member Secretary,
Thanjavur Local Planning Authority,
Ganapathy Nagar,
Thanjavur, Thanjavur District.
- 2) The Commissioner,
Thanjavur Municipality,
Thanjavur, Thanjavur District.
- 3) The Commissioner,
Tamil Nadu Town and Country Planning,
807, Anna Salai, Chennai 600 002

+1. C.C. To M/S.Ajmal Associates Advocate SR.No.55745

Order made in
W.P. (MD) .No.9118 of 2009
19.03.2019

TK/SAR- /10.04.2019/2P/5C