

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.08.2020

CORAM :

The HON'BLE MR.JUSTICE M.DURAISWAMY

W.P.No.11868 of 2013
and M.P.No.1 of 2013

R.Rangasamy

... Petitioner

Vs.

The Assistant Engineer,
New Zone - X, Ward No.136,
(Old Zone VIII, Ward 126),
Corporation of Chennai,
South Bough Road,
T.Nagar, Chennai - 600 017.

... Respondent

Prayer:

Writ Petition filed under Article 226 of the Constitution of India for issuing a writ of mandamus forbearing the respondent and his subordinates in any manner evicting or disturbing the public call office (PCO phone booth shop) run by the petitioner at No.3/42, Giryappa Road, Mangali Nilam, T.Nagar, Chennai - 17 near Nagesh Theatre, Thiyagaraya Road, except by due process of law.

For Petitioner : no appearance

For Respondent : Mr.P.Gopinath,

Standing Counsel - Corporation of Chennai

O R D E R

Consistently, there is no representation for the petitioner. Even when the matter was listed on 05.11.2013, there was no representation for the petitioner, hence, the Writ Petition was adjourned by two weeks. Thereafter, when the matter was listed on 16.07.2020, the learned counsel for the petitioner was not present to make his submission, hence, the matter was adjourned to 30.07.2020. On 30.07.2020 also, the learned counsel for the petitioner was not present and hence, the Registry was directed to list the matter under the caption "for dismissal" on 04.08.2020 (i.e.) today. Though the matter has been listed under

the caption "for dismissal", today also, the learned counsel for the petitioner is not present and hence, this Court has no other option, except to dismiss the Writ Petition for non-prosecution.

2.The learned Standing Counsel appearing for the respondent submitted that on inspection by the Officers of the respondent - Corporation, they did not find any Public Call Office as averred in the affidavit filed in support of the Writ Petition.

3.The submission made by the learned standing counsel for the respondent is recorded.

4.Accordingly, the Writ Petition is dismissed for non-prosecution. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

va

To

The Assistant Engineer,
New Zone - X, Ward No.136,
(Old Zone VIII, Ward 126),
Corporation of Chennai,
South Bough Road,
T.Nagar, Chennai - 600 017.

सत्यमेव जयते

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MR(CO)
GS(03/09/2020)