

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.08.2020

CORAM :

The HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P.No.26496 of 2012

R. Bernard Jothi

... Petitioner

vs.

The Branch Manager,
State Bank of India,
Saidapet Branch,
Periyaar Maaligai,
No.474, Anna Salai, Nandanam,
chennai - 600 035.

.... Respondent

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondent to return all original title deeds to the petitioner relating to his house property bearing Old No.4, New No.9, Nehru Street, Virugambakkam, Chennai - 92, which was deposited before the respondent in 1990 and created a registered mortgage.

For Petitioner : No Appearance

For Respondents: Mr. Bharath
for Mr.M.L. Ganesh

O R D E R

Consistently there is no representation for the petitioner. When the matter was listed for hearing on 13.07.2010, the learned counsel for the petitioner was not present, hence, the matter was adjourned to 22.07.2020. On 22.07.2020 also, the learned counsel for the petitioner was not present. On that day, Mr.M.L. Ganesh, learned Standing Counsel appearing for the respondent-bank submitted that the relief sought for in the Writ Petition has become infructuous for the reason that the issue has already been decided in W.P.No.31739 of 2018, dated 18.07.2019. Further, in order to given one more opportunity to the petitioner, the Writ Petition was adjourned to 03.08.2020. On 03.08.2020 also the learned counsel for the petitioner was not present. On that day, Mr.M.L.Ganesh, learned counsel appearing for the respondent-bank submitted that he had also informed the petitioner with regard to the listing of the matter, however none appeared for the petitioner. Hence, the Registry was directed to list the matter on 05.08.2020 under the caption for dismissal. Though the matter has been listed under the

caption for dismissal today i.e. 05.08.2020, none appeared for the petitioner. Hence, this court left with no other option except to dismiss the Writ Petition for non prosecution. Accordingly, the Writ Petition is dismissed for non prosecution. No costs.

Sd/-

Assistant Registrar (CS-I)

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Sub Assistant Registrar

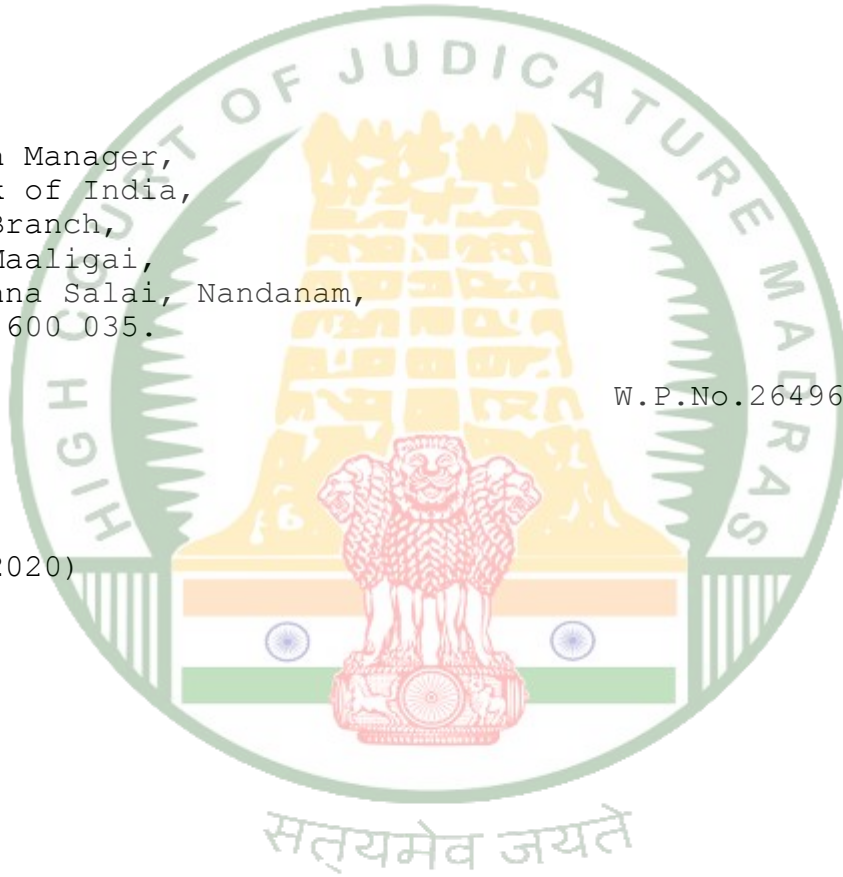
Rj

To

The Branch Manager,
State Bank of India,
Saidapet Branch,
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Chennai - 600 035.

W.P.No.26496 of 2012

VS (CO)
GN(23/09/2020)



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