

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.09.2020

CORAM :

THE HON'BLE MR. JUSTICE M.DURAI SWAMY

W.P.No.2404 of 2014

and

M.P.Nos.1 to 3 of 2014

OMR Garden City Condominium

Owners Welfare Association,

Regn No.139 of 2013

Represented by its President,

J.Anbu,

Garden City OMR, Thazambur Village,

Navalur Post,

Chengalpattu Taluk,

Kanchipuram District.

... Petitioner

Vs.

1.Chennai Metropolitan Water Supply
and Sewerage Board,
No.1, Pumping Station Road,
Chintadripet, Chennai - 600 002
Represented by its Managing Director

2.The Chief Engineer (O&M)
Chennai Metropolitan Water Supply
and Sewerage Board,
No.1, Pumping Station Road,
Chintadripet, Chennai - 600 002

3.M/s.DLF Southern Homes (P) Ltd.
Having its office at Old No.828, New No.268,
Poonamallee High Road,
Kilpauk, Chennai - 600 010 and
Registered Office at 1 E, Jandewalan,
Nazz Cinema Complex, New Delhi - 1
Represented by its Authorized Signatory

... Respondents

Writ Petition filed under Article 226 of the Constitution of India for issuing a Writ of Mandamus directing the respondents 1 and 2 to consider the representation of the 3rd respondent dated 02.04.2013 and to direct the 1st respondent to implement the commitment made by it in its letter bearing

No.CMWSSB/O&M/985/2007 dated 23.11.2007 by providing water supply for the construction put up by the 3rd respondent at DLF Housing Colony, Gardencity DLF, OMR at Thazambur Village.

For Petitioner : No appearance
For R1 and R2 : Mr.N.Ramesh
For R3 : Mr.Jayesh B.Dolia,
for M/s.Aiyar & Dolia
R4 and R5 : Dismissed vide
order dated 17.08.2015
in M.P.2 of 2014

O R D E R

Consistently, there is no representation for the petitioner. When the matter was taken up for hearing on 24.08.2020, learned counsel for the petitioner was not present, hence, the matter was adjourned to 02.09.2020. When the matter was listed on 02.09.2020, Mr.Jayesh B.Dolia, learned counsel for the 3rd respondent, submitted that Mr.V.P.Mohammed Moin, learned counsel who had entered appearance for the petitioner had given change of vakalat and also handed over the papers to the petitioner for engaging some other counsel. Recording the submission made by the learned counsel for the 3rd respondent, Registry was directed to verify whether any counsel had filed change of vakalat on behalf of the petitioner, if so, to print the name of the counsel, and if not, to print the name of the petitioner in the cause list and post the matter on 08.09.2020.

2.On verification, Registry informed that no counsel had filed change of vakalat on behalf of the petitioner. Subsequently, when the matter was taken up for hearing on 08.09.2020, though the name of the petitioner was printed in the cause list, none appeared for the petitioner. Hence, the Registry was directed to list the matter on 10.09.2020 under the caption "For dismissal".

3.Though the writ petition has been listed under the caption "For dismissal", today also, none appeared for the petitioner. Hence, this Court has no other option other than to dismiss the writ petition for non-prosecution. Accordingly, this writ petition is dismissed for non-prosecution. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

mkn

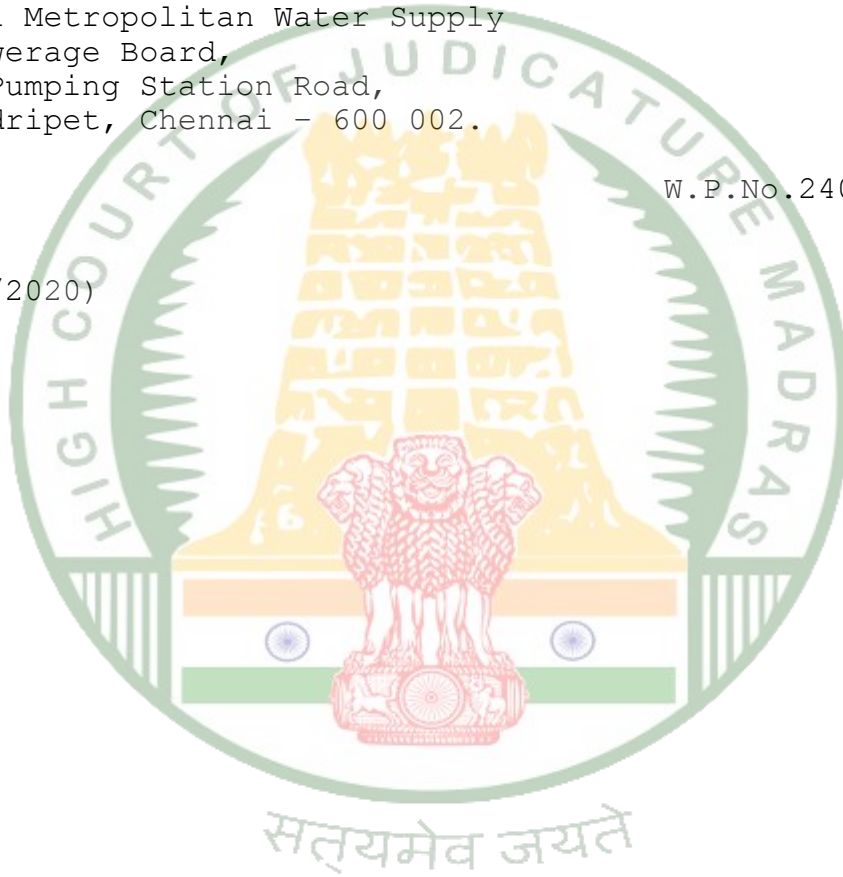
To

1.The Managing Director,
Chennai Metropolitan Water Supply
and Sewerage Board,
No.1, Pumping Station Road,
Chintadripet, Chennai - 600 002.

2.The Chief Engineer (O&M)
Chennai Metropolitan Water Supply
and Sewerage Board,
No.1, Pumping Station Road,
Chintadripet, Chennai - 600 002.

W.P.No.2404 of 2014

BP (CO)
RMP (09/10/2020)



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