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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.08.2021

CORAM

THE HON'BLE Mr.JUSTICE M.SUNDAR

W.P.No.29580 of 2008
and
MP.No.2 of 2008

R.Velayutham

... Petitioner

-Vs.-

1.The Secretary to Government,
Planning, Development and
Special Initiatives Department,
Fort St. George, Chennai-9.

2.The Special Commissioner & Director,
Department of Economics and Statistics,
Teynampet, Chennai-6.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records of the 2nd respondent pertaining to Panel dated 23.02.2007 in proceedings No.2303/E.4/2007 for the year 2006-2007 and subsequents No.4319/E.4/2008 dated 25.03.2008 for the year 2007-2008 on the file of the Second Respondent and quash the same and direct the 2nd respondent to include the petitioner's name in the panel for promotion as Statistical Inspector for the year 2006-2007 with all service benefits.

For Petitioner : No Appearance

For Respondents : Mr.C.Selvaraj
Government Advocate for R1 & R2

O R D E R

Captioned writ petition is listed as item no.2 in the cause list under the caption FOR DISMISSAL today.

2. Read this in conjunction with and in continuation of earlier proceedings made in three previous listings on 02.08.2021, 04.08.2021 and 05.08.2021, which read as follows:



'Proceedings dated 02.08.2021

There is no representation for the writ petitioner though the name of the writ petitioner and writ petitioner's counsel are duly shown in the cause list.

2.Mr.C.Selvaraj, learned State counsel representing the two respondents is before this Virtual Court.

3. This Court with the intention of giving opportunity to the writ petitioner and writ petitioner's counsel deems it appropriate to direct the Registry to list this matter again day-after-tomorrow.

List on 04.08.2021.

Proceedings dated 04.08.2021

Read this in conjunction with and in continuation of earlier proceedings made in previous listing on 02.08.2021, which reads as follows:

'There is no representation for the writ petitioner though the name of the writ petitioner and writ petitioner's counsel are duly shown in the cause list.

2.Mr.C.Selvaraj, learned State counsel representing the two respondents is before this Virtual Court.

3. This Court with the intention of giving opportunity to the writ petitioner and writ petitioner's counsel deems it appropriate to direct the Registry to list this matter again day-after-tomorrow.

List on 04.08.2021.'

2. The position is no different today. This means that there is no representation for the writ petitioner though the name of the writ petitioner and writ petitioner's counsel are duly shown in the cause list. However, Mr.C.Selvaraj, learned State counsel representing the two respondents (official respondents) is before this Virtual Court. This Court with the intention of giving opportunity to the writ petitioner and writ petitioner's counsel deems it appropriate to list this matter tomorrow.

List on 05.08.2021.

Proceedings dated 05.08.2021

Read this in conjunction with and in continuation of earlier proceedings made in previous listing on 04.08.2021 which reads as follows:

'Read this in conjunction with and in continuation of earlier proceedings made in previous listing on 02.08.2021, which reads as follows:

'There is no representation for the writ petitioner though the name of the writ petitioner



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and writ petitioner's counsel are duly shown in the cause list.

2. Mr. C. Selvaraj, learned State counsel representing the two respondents is before this Virtual Court.

3. This Court with the intention of giving opportunity to the writ petitioner and writ petitioner's counsel deems it appropriate to direct the Registry to list this matter again day-after-tomorrow.

List on 04.08.2021.'

2. The position is no different today. This means that there is no representation for the writ petitioner though the name of the writ petitioner and writ petitioner's counsel are duly shown in the cause list. However, Mr. C. Selvaraj, learned State counsel representing the two respondents (official respondents) is before this Virtual Court. This Court with the intention of giving opportunity to the writ petitioner and writ petitioner's counsel deems it appropriate to list this matter tomorrow.

List on 05.08.2021.'

2. The position is no different today. In other words, there is no representation for sole writ petitioner, but Mr. C. Selvaraj, learned State counsel for two respondents (official respondents) is before this Virtual Court.

3. This means that there has been no representation for writ petitioner for the third consecutive/successive listing today. To be noted, three consecutive/successive listings are 02.08.2021, 04.08.2021 and today (05.08.2021).

4. As the writ petitioner and writ petitioner's counsel have been given sufficient opportunity and there is no representation for third consecutive/successive listing today, Registry to list this matter 'FOR DISMISSAL' tomorrow (06.08.2021).'

3. The above proceedings speak for themselves.

4. This is the fourth consecutive/successive listing that too under the caption FOR DISMISSAL, but the position is no different today. In the first call, the matter was passed over. The matter was again called (second call). In the first and second calls, there is no representation for writ petitioner.

5. In the light of the narrative thus far, this Court deems it appropriate to dismiss the captioned writ petition for non-prosecution/default.



6. Captioned writ petition is dismissed for default. There shall be no order as to costs. Consequently, connected Miscellaneous Petition being MP.No.2 of 2008 is also dismissed for default.

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Sd/-
Assistant Registrar(CS-V)

//True Copy//

Sub Assistant Registrar

kmi

To

- 1.The Secretary to Government,
Planning, Development and
Special Initiatives Department,
Fort St. George, Chennai-9.
- 2.The Special Commissioner & Director,
Department of Economics and Statistics,
Teynampet, Chennai-6.

+lcc to the Government Pleader, S.R.No.39107

W.P.No.29580 of 2008
and MP.No.2 of 2008

CP(CO)
CB(23/08/2021)