

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.03.2021

CORAM

THE HON'BLE MR. JUSTICE C.SARAVANAN

W.P. No. 26498 of 2011

and

M.P. Nos. 1, 2 & 3 of 2011

G.Mohanakrishnan,
S/o.R.Govindaswamy

... Petitioner

Vs

1. The Chief Engineer,
Gas Turbine Scheme, TANGEDCO,
X-Floor, N.P.K.R.R.Maaligai,
No.144, Anna Salai,
Chennai - 600 002.
 2. The Superintending Engineer,
Thirumakkotttai (Kovilkalappal)
Gas Turbine Power Station, TANGEDCO,
Thirumakkotttai-Mannargudi,
Thiruvavarur District - 614 017.
 3. The Tamil Nadu Electricity Board,
Represented by its Chairman and Managing Director,
No.144, Anna Salai,
Chennai - 600 002.
 4. The Branch Manager,
Indian Overseas Bank,
Sowcarpet Branch,
Chennai - 600 079.
- ... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned proceedings of the first respondent in his Letter vide No.Lr.No.SE/GTS/EM/A1/F.P.O.N.O.No.22,dated 07.10.2009/D.1162/11 dated 10.11.2011 and to quash the same and consequently forbearing the first and second respondents herein not in any manner invoke the Bank Guarantee No.63 of 2009 dated 15.12.2009 executed by the 4th respondent in favour of the 3rd respondent pursuant to Purchase Order No.22 of 2009 dated 07.10.2009 issued by the first respondent in favour of the petitioner.

For Petitioner : Mr.M.Venkatesh
for Mr.S.Arivazhagan
For R1 to R3 : Mr.N.Damodharan
Standing Counsel
For R4 : Mr.F.B.Benjamin George

ORDER

Mr.N.Venkatesh, learned counsel for the petitioner submits that the petitioner had obtained Change of Vakalat way back in 2011, but has not filed the same and therefore the name of the petitioner's counsel still appears for the petitioner. It is noticed that after 2011, the case has not been listed for hearing. After the lock down was imposed and the Courts have started functioning through video conferencing, the case was listed on 09.07.2020 and adjourned to 21.07.2020. On that date also there was no representation on behalf of the petitioner. The case was thereafter listed on 08.03.2021, again there was no representation on behalf of the petitioner and was directed to be listed under the caption 'for dismissal' on 12.03.2021 i.e., today.

2. Today, when the case is taken up for hearing, there is a representation on behalf of the petitioner stating that there is a Change of Vakalat. Since there is no assistance on behalf of the petitioner, I am inclined to dismiss this writ petition with liberty to restore the same, in case, the petitioner makes a good case for restoring the same.

3. This Writ Petition stands dismissed for want of prosecution. No costs. Consequently, connected miscellaneous petitions are closed.

सत्यमेव जयते

Sd/-

Asst.Registrar

/true copy/

Sub Asst. Registrar

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arb

To

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+1 cc to Mr.F.B.Benjamin George Advocate srl6168

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vgII(co)
aa30/03/2021

सत्यमेव जयते

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