



WEB COPY

W.P.No.4332 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.09.2024

CORAM

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.No.4332 of 2010

and

M.P.No.2 of 2010

Rameshwari

... Petitioner

Vs.

1. The District Collector,
Thiruvarur District, Thiruvarur.

2. The Commissioner,
Kottur Panchayat Union,
Kottur, Thiruvarur District.

3. Mrs.K.Parameswari

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records of the 1st respondent in and by his proceedings in Na.Ka.No.1100/2008/Sa.Vu/Thi.1 dated 27.10.2009 and quash the same, and consequently, directing the 1st respondent to appoint the petitioner as a Noon Meal Organizer in Panchayat Union Elementary School, Rmanathapuram, Kottur Taluk, Thiruvarur District.



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W.P.No.4332 of



For Petitioner : No appearance
For R1 : M/s.R.L.Karthika,
Government Advocate
For R2 : Mr.R.Thirugnanam

ORDER

When this matter came up for consideration before this Court on 13.09.2019, the then learned counsel appeared for the petitioner filed a memo stating that the petitioner has received back the entire case bundle along with the change of vakalat on 07.09.2019. This Court having taken note of the same, discharged the learned counsel for the petitioner and thereafter ,ordered notice to the petitioner. Though notice was served, the petitioner failed to appear before this Court. However, this Court, considering the fact that the said notice was served long back, ordered fresh notice. However, when the matter was again listed before this Court on 19.09.2024, this Court, having taken note of the totality of the circumstances, passed the following docket order:-

“When the matter was taken up for hearing there is no representation for the petitioner. It is seen from the records that the learned counsel for the petitioner has filed a



WEB COPY

W.P.No.4332 of



memo on 13.09.2019 stating that the petitioner has received the entire case bundles along with change of vakalat from him on 07.09.2019. However, this Court having taken note of the same ordered notice to the petitioner and the said notice was served on the petitioner on earlier occasion.

2. Considering the fact that the matter was listed after a lapse of 4 years, once again this Court ordered notice on 29.11.2023. However, this Court having taken note of the contents of the memo dated 13.09.2019 of the erstwhile counsel for the petitioner, does not deem it necessary to serve notice on the petitioner again and again. The petitioner having taken back the case bundle along with the change of vakalat, it is her responsibility to take steps for prosecuting the matter either by engaging another counsel or otherwise. However, no such steps were taken as on date. Though the petitioner's name is printed in the cause list, today there is no representation for the petitioner.

3. Hence, post the matter under the caption "for dismissal" on 23.09.2024. Meanwhile, Registry to verify whether any fresh



appearance is entered on behalf of the petitioner.”

Accordingly, the matter was listed today under the caption "For Dismissal".

However, there is no representation for the petitioner inspite of the matter being listed under the caption "For Dismissal".



WEB COPY

W.P.No.4332 of



MUMMINENI SUDHEER KUMAR, J.
skr

2. In the circumstances and also for the reasons already recorded on 19.09.2024, the Writ Petition is dismissed for non-prosecution. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions, if any shall stand closed.

23.09.2024

skr

Index : Yes / No

Speaking order / Non-speaking order

Neutral Citation : Yes / No

To

1. The District Collector,
Thiruvarur District, Thiruvarur.
2. The Commissioner,
Kottur Panchayat Union,
Kottur, Thiruvarur District.

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