

EUROPEAN COURT OF HUMAN RIGHTS
COUR EUROPÉENNE DES DROITS DE L'HOMME

THIRD SECTION

DECISION

Application no. 47551/09
by Andro CHKHIKVISHVILI
against Georgia

The European Court of Human Rights (Third Section), sitting on 11 October 2011 as a Committee composed of:

Alvina Gyulumyan, *President,*
Luis López Guerra,
Nona Tsotsoria, *judges,*

and Marialena Tsirli, *Deputy Section Registrar,*

Having regard to the above application lodged on 21 August 2009,

Having deliberated, decides as follows:

THE FACTS

The applicant, Mr Andro Chkhikvishvili, is a Georgian national who was born in 1945 and is currently serving a prison sentence. He was represented before the Court by Mr Givi Papuashvili, a lawyer practising in Tbilisi. The Georgian Government ("the Government") were represented by their Agent, Mr Levan Meskhoradze of the Ministry of Justice.

On 2 December 2010 the Court gave notice to the Government of the applicant's complaints under Articles 2, 3 and 13 of the Convention concerning the alleged lack of adequate medical care in prison for the applicant's serious cardiological problems, poor conditions of detention and degrading treatment in the courtroom.

On 17 March 2011 the Government submitted their observations on the admissibility and merits of the application, which included medical information about the applicant's state of health. Those submissions

disclosed that following the communication of the applicant's case, he had been transferred to a specialised cardiological establishment and provided with the requisite intensive treatment.

The above observations were forwarded to the applicant, who in his reply of 31 August 2011 requested the Court to strike his application out of its list of cases. The applicant confirmed in his letter that the relevant authorities had provided him with the requisite medical treatment.

The Government have been informed of the applicant's withdrawal request and did not object to it.

THE LAW

In the light of the foregoing, the Court considers that the matter had been resolved at the domestic level and that the applicant has no intention to pursue his application (Article 37 § 1 (a) and (b) of the Convention). Furthermore, in accordance with Article 37 § 1 *in fine,* the Court finds no special circumstances regarding respect for human rights as defined in the Convention and its Protocols which require the continued examination of the case.

In view of the above, it is appropriate to strike the case out of the list.

For these reasons, the Court unanimously

Decides to strike the application out of its list of cases.

Marialena Tsirli Deputy Registrar	Alvina Gyulumyan President