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

FOURTH SECTION

DECISION

Application no. 27926/10
Tamaz KHOLUASHVILI
against Georgia

The European Court of Human Rights (Fourth Section), sitting on 7 March 2017 as a Committee composed of:
Krzysztof Wojtyczek, *President,*
Nona Tsotsoria,
Marko Bošnjak, *judges,*
and Andrea Tamietti, *Deputy Section Registrar,*
Having regard to the above application lodged on 28 January 2010,
Having deliberated, decides as follows:

FACTS AND PROCEDURE

1. The applicant, Mr Tamaz Kholuashvili, is a Georgian national, who was born in 1972 and lives in Telavi. He was represented before the Court by Mr G. Nikolaishvili, a lawyer practising in Tbilisi.

2. The applicant's complaint under Article 3 of the Convention concerning his alleged contamination by tuberculosis in prison was communicated to the Georgian Government who were represented by their Agent, Mr L. Meskhoradze, of the Ministry of Justice.

3. The applicant failed to respond to the Registry's letters of 18 May 2012 and 20 August 2014, with the latter having been served on his representative on 29 August 2014, reminding him that the period allowed for submission of his observations in reply to those of the Government had expired on 21 March 2012 and that no extension of time had been requested. The applicant's attention was drawn to Article 37 § 1 (a) of the Convention.

THE LAW

4. The Court considers that, in these circumstances, the applicant may be regarded as no longer wishing to pursue his application, within the meaning of Article 37 § 1 (a) 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.

Done in English and notified in writing on 30 March 2017.

Andrea Tamietti
Deputy Registrar

Krzysztof Wojtyczek
President