

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.11.2017

CORAM:

THE HON'BLE MR.JUSTICE T.RAVINDRAN

S.A. No.1628 of 2001

S.Chandramohan

... Appellant/Respondent/
Plaintiff

Vs.

1.TAMIL NADU ELECTRICITY BOARD,
Rep.by Superintendent Engineer,
Salem Electricity Distribution Circle,
Venkata Rao Road, Salem.

2.The ASSISTANT ENGINEER (O&M),
TNEB, Arisipalayam,
Salem - 9.

3.THE JUNIOR ENGINEER (O & M),
TNEB, Arisipalayam,
Salem - 9. ... Respondents

Prayer:-Second Appeal filed under Section 100 of C.P.C., against the judgment and Decree dated 17.08.2001 and made in A.S.No.210 of 1999 on the file of III Additional District Court, Salem, reversing the judgment and decree dated 28.04.1999 and made in O.S.No.915 of 1994 on the file of II Additional District Munsif, Salem.

For Appellant :Mr.V.Bhiman
for M/s.Sampath Kumar

For Respondents :Mr.V.Viswanathan
for TNEB

J U D G M E N T

Both counsel present and heard. Seeking the reliefs of declaration and permanent injunction as against the demand notice made by the second defendant in his proceedings dated 21.10.1994, the suit has come to be laid by the plaintiff. It is found that, the plaintiff succeeded in the trial court and the first appellate court reversed the judgment and decree of the trial court and dismissed the suit. Aggrieved over the same, the second appeal has come to be preferred.

2.It is now represented by the learned counsel for the respondents that the plaintiff has paid entire amount on 18.01.2001 itself and there by service connection also been restored. This has also been reported by the learned counsel for the respondents in the counter filed in C.M.P.17345 of 2001. Specifically, it is further seen that, based on the above said statement of the respondents in the counter, the above said Civil Miscellaneous Application also dismissed by this Court.

3. It is thus found that in as much as the plaintiff had paid the entire amount and also the service connection restored, nothing survives in the Second Appeal.

3.Accordingly, recording the above said submissions of both counsel, the Second Appeal is disposed of as infructuous. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

mfa

To

1.The III Additional District Court,
Salem.

2.The II Additional District Munsif,
Salem.

3.The Superintendent Engineer,
TAMIL NADU ELECTRICITY BOARD,
Salem Electricity Distribution Circle,
Venkata Rao Road,
Salem.

4.The ASSISTANT ENGINEER (O&M),
TNEB, Arisipalayam,
Salem - 9.

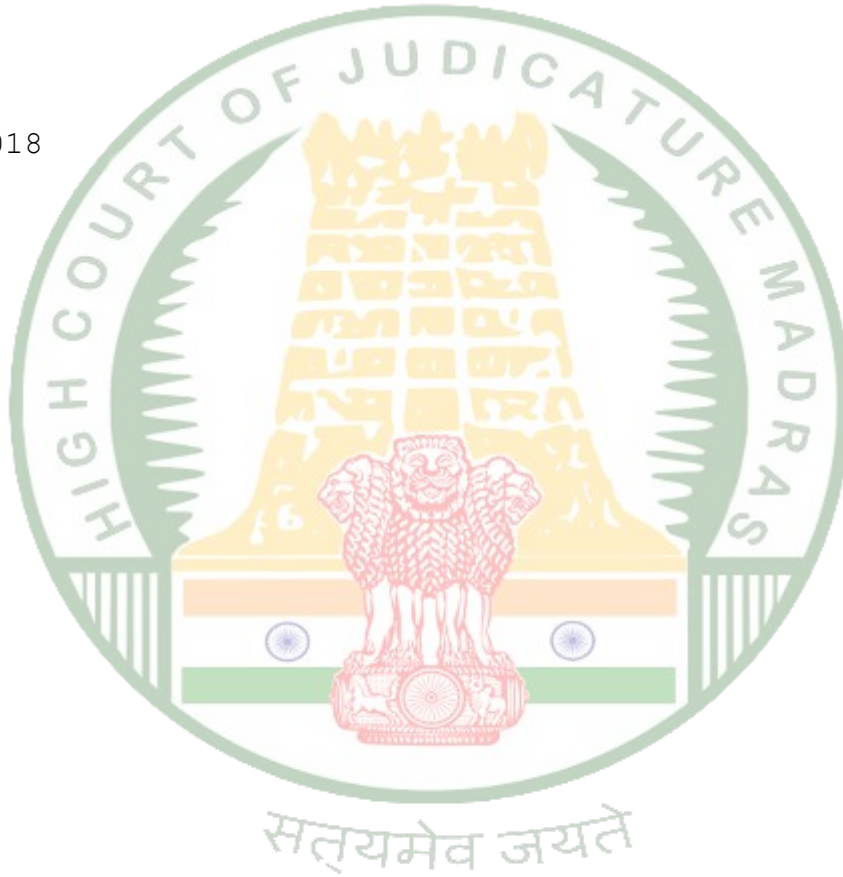
5.THE JUNIOR ENGINEER (O & M),
TNEB, Arisipalayam,
Salem - 9.

6 The Section Officer
VR Section High Court, Madras

+1 cc to Sampath kumar Advocate sr 83427
+1 cc to Mr.V.Viswanathan Advocate sr 83587

S.A. No.1628 of 2001

vgI(co)
aa11/01/2018



WEB COPY