

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.02.2018

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

S.A.No.1729 of 1999

M.Kandasamy Gounder

... Appellant/Plaintiff/
1st Respondent

Vs.

1. K.Nachimuthu

2. Tamil Nadu Electricity Board,
rep. by its Junior Engineer,
TNEB, Pollachi (South)
Pollachi.

3. Tamil Nadu Electricity Board,
rep. by its Divisional Engineer,
TNEB, Pollachi (South),
Pollachi.

... Respondents/Defendants/
Appellants and Respondents

Prayer:

Second Appeal filed under Section 100 of C.P.C. against the judgment and decree dated 30.11.1998 in A.S.No.65 of 1996 (Sub Court, Udumalpet) reversing the judgment and decree dated 05.09.1996 in O.S.No.69 of 1995 (District Munsif Court, Pollachi).

For Appellant : Mr.A.S.Vijayaragavan

For Respondents : Mr.P.Rajendran for R1
Mr.V.Visuanathan for R2 and R3

WEB COPY

J U D G M E N T

When the matter is taken up for hearing today, the learned counsel appearing for the appellant submitted that nothing survives in this second appeal for adjudication and also made the following endorsement in the bundle:

"The appellant died on 19.07.2011 and the L.Rs also sold the property under sale

deed dated 14.07.2014. In the meanwhile in 2011, the impugned EB line was dismantled by E.B.Dept. Officials & the respondent defendant was given EB line through an nearby lane which is unobjectionable. Hence the S.A. May be dismissed as infructuous."

2.In view of the endorsement made by the learned counsel appearing for the appellant, the second appeal is dismissed as infructuous as nothing survives for adjudication in this second appeal. No costs.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

pri

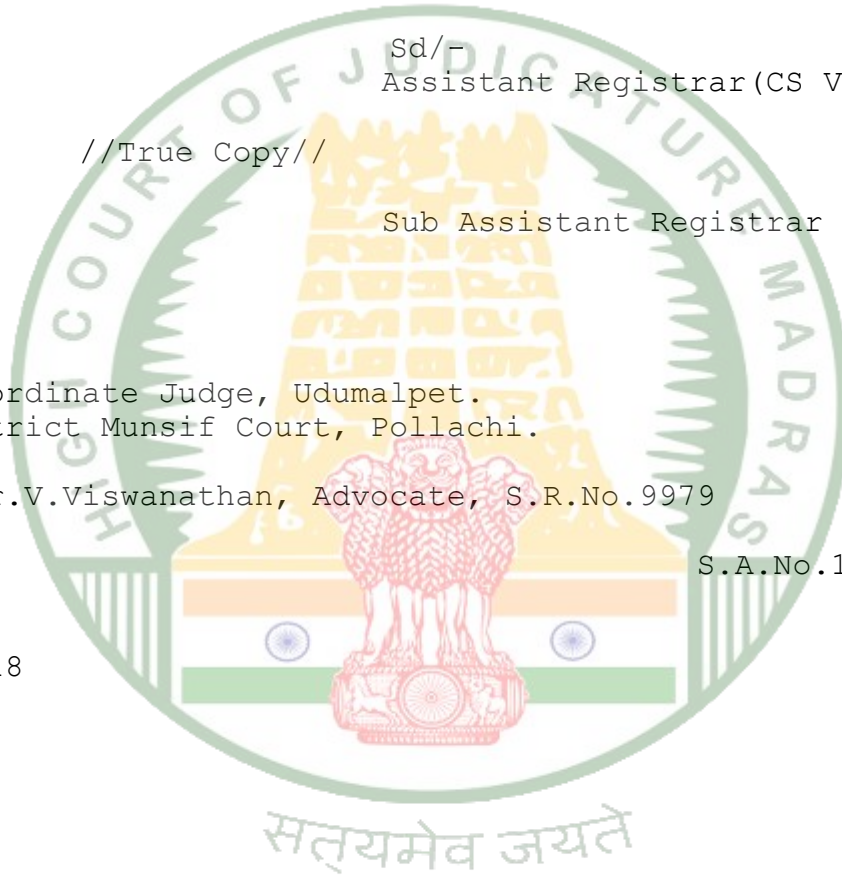
To

- 1.The Subordinate Judge, Udumalpet.
- 2.The District Munsif Court, Pollachi.

+1cc to Mr.V.Viswanathan, Advocate, S.R.No.9979

S.A.No.1729 of 1999

SR(CO)
CS/01/03/18



WEB COPY