

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:02.12.2020

CORAM:

THE HON'BLE DR.JUSTICE G.JAYACHANDRAN

Second Appeal No.1505 of 2010
and
M.P.No.1 of 2010

Srinivasan .. Appellant /Plaintiff
/versus/
Subramaniam ..Respondent /Defendant

Prayer: Second Appeal has been filed under Section 100 of the Civil Procedure Code against judgment of the Subordinate Judge Court at Kallakurichi dated 15.09.2010 passed in A.S.No.29 of 2007 on confirming the judgment and decree of the I Additional District Munsif Court at Kallakurichi dated 03.08.2006 passed in O.S.No.539 of 2001.

For Appellant :Mr.J.Ramakrishnan

For Respondent :Mr.Nandakumar

J U D G M E N T

(The case has been heard through Video Conferencing)

The second appeal filed against the concurrent finding by the Court below.

2.The appellant failed before both the Courts in substantiating his right to restraining the respondent/defendant in respect of the pathway and usage of the suit property for taking the drainage water from the well and lavatory through pipelines.

3.The learned counsel appearing for the appellant is not ready, inspite of adjourning the matter for 6 hearings viz., dated 31.07.2020, 14.09.2020, 16.10.2020, 06.11.2020, 30.11.2020 and 02.12.2020. It is reported by the learned counsel appearing for the appellant that in the subsequent suit the issue has been held in favour of the appellant in respect of pipeline but the details are not furnished to this Court. Therefore, this Court finds no substantial question of law to entertain the second

appeal. Hence, this Second Appeal is dismissed. No order as to costs. Consequently, connected Miscellaneous petition is closed.

Sd/-

Assistant Registrar (CO)

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Sub Assistant Registrar

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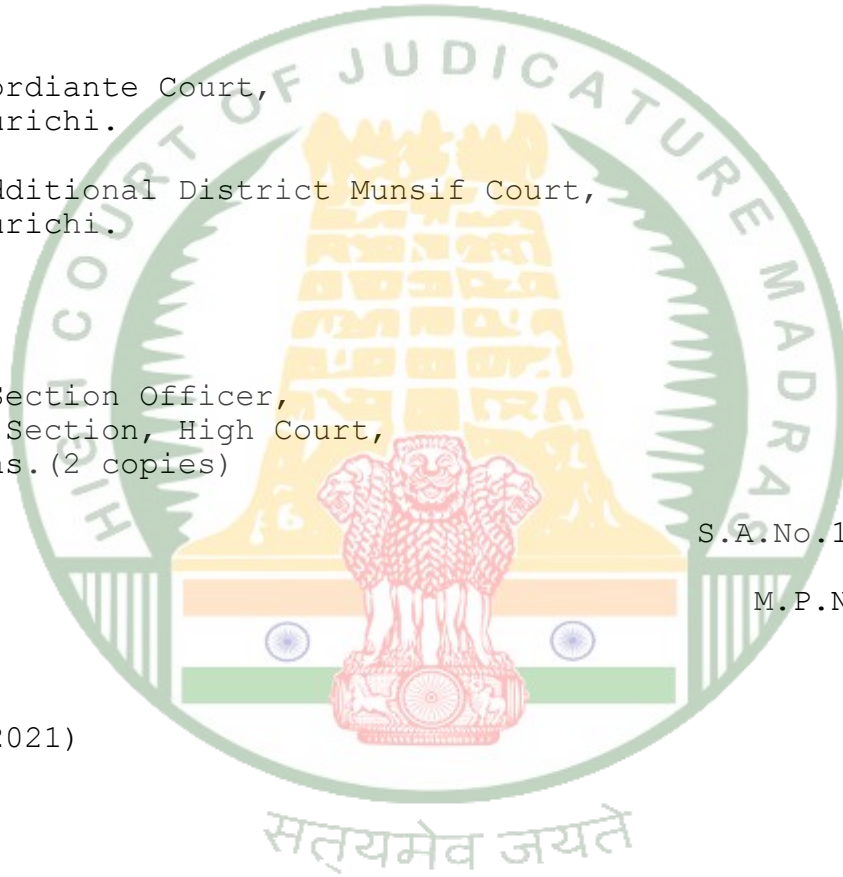
- 1.The Subordiante Court,
Kallakurichi.
- 2.The I Additional District Munsif Court,
Kallakurichi.

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S.A.No.1505 of 2010
and
M.P.No.1 of 2010

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