



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.08.2020

CORAM

THE HON'BLE MR.JUSTICE **S.S.SUNDAR**

C.R.P. (MD)No.1601 of 2015

and

M.P. (MD)No.1 of 2015

1. The Tamil Nadu Electricity Board,
through its Superintending Engineer,
Madurai.
2. The Tamil Nadu Electricity Board,
through its Assistant Executive Engineer,
Distribution, Pasumalai, Madurai.
3. The Tamil Nadu Electricity Board,
through its Executive Engineer,
Madurai West / Distribution, Madurai-16. : Petitioners

.. Vs ..

R.S.Ganesan : Respondent

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India, praying to dismiss the suit in O.S.No.908 of 2003 on the file of the District Munsif Court, Madurai Town.

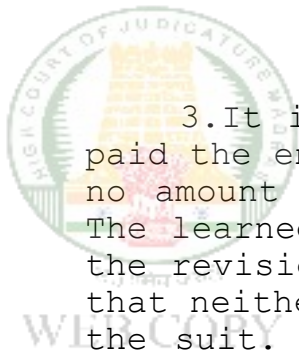
For Petitioners	:Mrs.S.Srimathy
For Respondent	:Mr.P.Ganapathy Subramanian

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ORDER

This Civil Revision Petition is filed challenging the maintainability of the suit in O.S.No.908 of 2003 on the file of the District Munsif Court, Madurai.

2.It appears that the suit has been laid by the respondent challenging the final order of assessment passed by the second petitioner herein, who is the second defendant in the suit. The case of the revision petitioners is that the suit has been laid before the Civil Court, which has no jurisdiction to decide the issue and that the suit is barred by law, since the suit has been filed preventing the statutory authority from exercising or performing his statutory duty, as envisaged under the Electricity Act.



3.It is now admitted before this Court that the respondent has paid the entire amount as per the final order of assessment and that no amount is due from the respondent to the revision petitioners. The learned Counsel for the respondent submitted that the prayer in the revision petition has become infructuous. It is further stated that neither the respondent nor his heirs have any idea to prosecute the suit. In such circumstances, this Court has no hesitation to dismiss this revision as infructuous.

4.Accordingly, this Civil Revision Petition is dismissed as infructuous. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

cmr

To

The District Munsif,
Madurai Town, Madurai.

C.R.P. (MD)No.1601 of 2015
31.08.2020

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