



WEB COPY



CRP No.1637 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.12.2022

CORAM

THE HON'BLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

CRP.No.1637 of 2019
and CMP.No.10717 of 2019

Power Grid Corporation of India (p) Ltd.,
Rep. by its Junior Engineer,
400/230 KV, Sub-Station,
Coimbatore Main Road,
K.Paramathi Post,
Karur Taluk,
Karur District.

..Petitioner

Vs.

1.P.Vasuki
2.The District Collector,
District Collector Office,
Namakkal.

..Respondents

Prayer: Civil Revision Petition filed under Article 227 of Constitution of India,
to struck off the suit in O.S.No.48 of 2019 on the file of the District Munsif
Court, Namakkal.

For Petitioner : Mr.V.Kalyanaraman

For Respondents

For R1 : No appearance

For R2 : Mr.V.Jeevagiridharan

Additional Government Pleader



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ORDER

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The civil revision petition has been filed as against the order passed in O.S.No.48 of 2019 on the file of the District Minsif Court, Namakkal, thereby dismissing the petition to strike off the plaint.

2. Though, notice has been served on the first respondent and his name also printed in the cause list, there is no representation for the first respondent either in person or through counsel.

3. The first respondent filed a suit for permanent injunction, restraining the petitioner not to erect any tower in the suit schedule property without notice and without hearing her objections.

4. Pending the suit, the first respondent filed an application for interim injunction and the same was also granted in her favour. While pending the suit, the petitioner filed CRP to strike off the plaint in O.S.No.48 of 2019. Pending the CRP, the petitioner also was permitted to erect tower, after issuance of notice and after hearing the objections raised by the first respondent accordingly, the petitioner erected tower in the suit schedule property after issuance of notice and after hearing the objections. Now, the entire project itself completed therefore,



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nothing survives in the suit.

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5. In view of the above submission made by the petitioner, the plaint in O.S.No.48 of 2019 on the file of the District Munsif Court, Namakkal is hereby struck off.

6. Accordingly, the civil revision petition stands allowed. No costs. Consequently, connected miscellaneous petition is closed.

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Speaking/Non-speaking order

Index : Yes/No

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To

The District Munsif Court,
Namakkal.



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G.K.ILANTHIRAIYAN.J,

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