



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Civil Appellate Jurisdiction)

Friday, the Eleventh day of March Two Thousand and Twenty Two

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

SA(MD)No.535 of 2010

- 1.The Superintending Engineer,
Tamil Nadu Electricity Board,
Thanjavur.
- 2.The Junior Electrical Engineer (O & M)
Tamil Nadu Electricity Board,
Nadimuthu Nagar,
Pattukkottai. ... Appellants/Respondents/Defendants

Vs

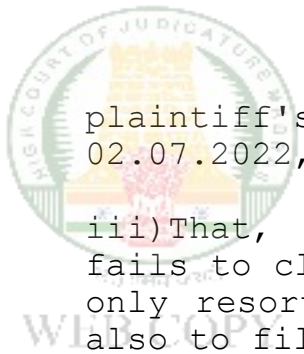
R.Rajendran ... Respondent/Appellant/Plaintiff

Prayer :- Second Appeal filed under Section 100 of Civil Procedure Code, against the Judgment and Decree made in A.S.No.4 of 2008 dated 29.09.2009 on the file of the Principal District Judge, Thanjavur, reversing the Judgment and Decree made in O.S.No.16 of 2006 dated 12.12.2007 on the file of the Subordinate Court, Pattukkottai.

Decree: This Second Appeal came up for hearing on this day, upon perusing the Grounds of Appeal, the Judgment and Decree of the Lower Appellate Court and the Court of First Instance and the material papers in the Suit and upon hearing the arguments of Mr.B.Ramanathan, Standing Counsel for the Appellants and Mr.K.K.Ramakrishnan, Advocate for Respondent, this Court while disposing of the Second Appeal, doth order and decree as follows:-

i)That, the Respondent herein/Plaintiff be and is hereby liable to make a further payment of Rs.1,39,978/- to the appellant herein; The interest burden at the rate of 6% per annum shall come to Rs.1,08,402/-. Adding the two components, the total liability of the plaintiff comes to Rs.2,47,380/-;

ii)That, the Respondent herein/Plaintiff shall clear the same in four installments to the appellant herein. The plaintiff shall pay Rs.61,845/- on the first working day of every month. The



plaintiff's liability shall commence from April 2, 2022 onwards. By 02.07.2022, the plaintiff should have cleared his liability in toto;

iii) That, if the Respondent herein/Plaintiff commits default and fails to clear the liability in full by 02.07.2022, TANGEDCO can not only resort to disconnection of plaintiff's electricity supply but also to file execution petition for enforcing this decree; and

iv) That, there be no costs in this Second Appeal.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

TO

1.The Principal District Judge,
Thanjavur.

2.The Subordinate Judge, Pattukkottai.

Copy to:-

The Record Keeper,V.R. Section,
Madurai Bench of Madras High Court, Madurai. (2 copies)

+1 CC to M/s.K.K.RAMAKRISHNAN, Advocate, SR.No.11800

+1 CC to M/s.B.RAMANATHAN, Advocate, SR.No.12066

ORDER DATED : 11/03/2022

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DECREE

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SA(MD)No.535 of 2010

Nature of Decree:

Disposing the Second Appeal preferred against the Judgment and Decree dated 29.09.2009 made in A.S.No.4 of 2008 on the file of the Principal District Judge, Thanjavur, reversing the Judgment and Decree dated 12.12.2007 made in O.S.No.16 of 2006 on the file of the Subordinate Judge, Pattukkottai.

ks (CO)

TR(18.04.2022) 2P 7C

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