



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.04.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

S.A.(MD)No.421 of 2013 and

S.A.(MD)No.491 of 2019

WEB COPY

S.A. (MD)No.421 of 2013

M/s.Lakshmi Mills Company Ltd.,
Rep. By Secretary Shri.Kandasamy,
Having their office at 348, Avinasi Road,
Coimbatore.

... Appellant / 1st Respondent /
Plaintiff

Vs.

1. Dohnavur Fellowship, A Regd. Society,
which has Head Office at Dohnavur,
rep. through its Secretary of Fellowship by name
A.R.David Rajamanian,
S/o.Rajappan, having his office at Dohnavur Fellowship,
Dohnavur.

... 1st Respondent / 1st Appellant /
1st Defendant

2. Prakash Industries Ltd., New Delhi,
having their registered office at
15k.m. Stone Delhi Road,
Hisar 1250025, Rep. by its Manager,
having his office at Kumarapuram Road,
Aralvoimozhi, Kanyakumari District.

... 2nd Respondent / 2nd Respondent /
2nd Defendant

3. The Chief Engineer,
Non-Conventional Source of Energy Source,
T.N.E.B., N.P.K.R.Maligai, Electricity Board Avenue,
800, Anna Salai,
Chennai - 600 002.

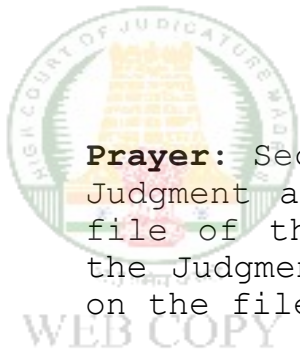
... 3rd Respondent / 3rd Respondent /
3rd Defendant

4. The Special Officer, Wind Farm,
Development Cell,
T.N.E.B., Puthoor,
Madurai - 625 007.

... 4th Respondent / 4th Respondent /
4th Defendant

5. The Executive Engineer, Sub Station Erection,
Wind Division, T.N.E.B. Maharaja Nagar,
Thirunelveli - 627 011.

... 5th Respondent / 5th Respondent /
5th Defendant



Prayer: Second appeal filed under Section 100 of C.P.C., against the Judgment and Decree dated 11.12.2007 in A.S.No.109 of 2004 on the file of the Principal Subordinate Judge, Nagercoil, setting aside the Judgment and Decree dated 23.01.2004 made in O.S.No.777 of 1995 on the file of the II Additional District Munsif, Nagercoil.

For Appellant : Mr.H.Thayumanaswamy
For R-2 : Mr.R.Rajasekaran
For R-1 : Mr.D.Saravanan
For R-3 to R-5 : Mr.B.Ramanathan

* * *

S.A. (MD)No.491 of 2019

M/s.Lakshmi Mills Company Ltd.,
Rep. By its Secretary,
Having their office at 348, Avinasi Road,
Coimbatore.

... Appellant / 1st Respondent /
Plaintiff

Vs.

1. Dohnavur Fellowship, A Regd. Society,
which has Head Office at Dohnavur,
rep. through its Secretary of Fellowship by name
A.R.David Rajamanian,
S/o.Rajappan, having his office at Dohnavur Fellowship,
Dohnavur.

... 1st Respondent / Appellant /
Plaintiff

2. The Chief Engineer,
Non-Conventional Source of Energy Cell,
T.N.E.B., 880, Annasalai,
Chennai - 600 002.

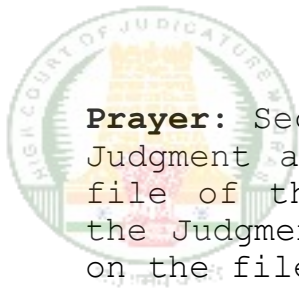
... 2nd Respondent / 2nd Respondent /
2nd Defendant

3. The Special Officer,
Wind Energy, Development Cell,
T.N.E.B., Madurai - 625 007.

... 3rd Respondent / 3rd Respondent /
3rd Defendant

4. The Executive Engineer, Wind Farm
Maharaja Nagar, Tamil Nadu Electricity Board,
Thirunelveli - 627 011.

... 4th Respondent / 4th Respondent /
4th Defendant



Prayer: Second appeal filed under Section 100 of C.P.C., against the Judgment and Decree dated 11.12.2007 in A.S.No.108 of 2004 on the file of the Principal Subordinate Judge, Nagercoil, setting aside the Judgment and Decree dated 23.01.2004 made in O.S.No.181 of 1996 on the file of the II Additional District Munsif, Nagercoil.

WEB COPY

For Appellant : Mr.H.Thayumanaswamy
For R-2 to R-4 : Mr.B.Ramanathan
For R-1 : Mr.D.Saravanan

C O M M O N J U D G M E N T

The learned counsel has circulated letters for withdrawing both the second appeals.

2. These second appeals are dismissed as withdrawn. No costs.
Sd/-

Assistant Registrar (CS-I)

// True Copy //

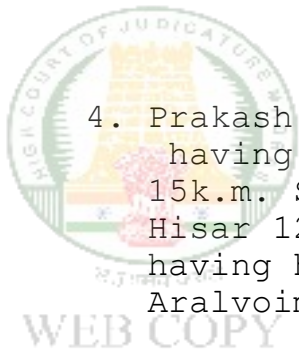
/ /2022
Sub Assistant Registrar(CS)

PMU

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To:

- 1.The Principal Subordinate Judge, Nagercoil.
- 2.The 2nd Additional District Munsif, Nagercoil.
3. Dohnavur Fellowship, A Regd. Society,
which has Head Office at Dohnavur,
rep. through its Secretary of Fellowship by name
A.R.David Rajamanian,
S/o.Rajappan, having his office at Dohnavur Fellowship,
Dohnavur.



4. Prakash Industries Ltd., New Delhi,
having their registered office at
15k.m. Stone Delhi Road,
Hisar 1250025, Rep. by its Manager,
having his office at Kumarapuram Road,
Aralvoimozhi, Kanyakumari District.
5. The Chief Engineer,
Non-Conventional Source of Energy Source,
T.N.E.B., N.P.K.R.Maligai, Electricity Board Avenue,
800, Anna Salai,
Chennai - 600 002.
6. The Special Officer, Wind Farm,
Development Cell,
T.N.E.B., Puthoor,
Madurai - 625 007.
7. The Executive Engineer, Wind Farm
Maharaja Nagar, Tamil Nadu Electricity Board,
Thirunelveli - 627 011.
8. The Record Keeper, V.R.Section,
Madurai Bench of Madras High Court,
Madurai. (2 copies)

+1 CC to M/s.B. RAMANATHAN, Advocate (SR-23134[F] dated
02/05/2022)

+1 CC to M/s.D. SARAVANAN, Advocate (SR-23287[F] dated 04/05/2022)

S.A.(MD)Nos. 421 of 2013 & 491 of 2009
29.04.2022

RK(07/06/2022) 4P 12C