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S.A. No. 248 of 2007

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **07-01-2025**

CORAM

THE HONOURABLE MRS JUSTICE T.V.THAMILSELVI

SA NO. 248 of 2007

and

M.P.No. 1 of 2007

1. The Executive Engineer,
Operation and Maintenance,
TNEB, Coimbatore-12.
2. The Addl. Chief Engineer,
Coimbatore Electricity Distribution
Circle/Metro,
Tamil Nadu Electricity Board,
Coimbatore-12.

...Appellants

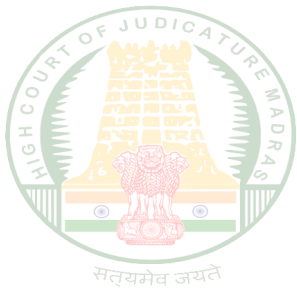
Vs

N.Sarojini, (died)

2. K.Natarajan
3. N.Balasubramaniam
4. N.Devaki
5. N.Velumani
6. P.Seetha

Respondents 4 to 6 brought on record
as LR's of deceased 1st respondent vide
order of court dated 11.01.2024 made
in C.M.P.No. 4 & 6 to 8 of 2007

...Respondents



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Prayer:- Second Appeal has been filed under Section 100 C.P.C., against the judgment and decree dated 24.04.2006 made in A.S.No. 3 of 2006 on the file of Appellate Authority and II Addl. Sub-Court, Coimbatore against the judgment and decree dated 07.12.2005 made in O.S.No.670 of 2004 on the file of I Addl. District Munsif, Coimbatore.

For Appellants:

Ms. Hemalatha Gajapathy

For Respondents:

Ms.D.Vinuthashree for
Mr.N.Damodaran for RR2 & 3

R1 – Died
R4 to R6 – Batta due

JUDGEMENT

Today, when the above Second Appeal is taken up for hearing, learned counsel for appellants/T.N.E.B. submitted a status report stating that during the pendency of proceedings, the respondents/plaintiffs have paid compensation charges and the same was collected by the authority from the owner in SC.No. 026-005-309 stands in the name of 1st plaintiff,



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wherein the plaintiffs are running Industrial Estate distribution and so, as on date, entire compensation charges are paid. Therefore, the relief claimed by them became infructuous and prayed to dismiss this Second Appeal as infructuous.

2. In the said circumstances, disputing the action taken by the appellants Tamil Nadu Electricity Board, the suit was filed and now pending proceedings, they have paid the entire compensation charges. Hence, the relief claimed by the appellants became infructuous. Accordingly, this Second Appeal is dismissed as infructuous as the entire charges was paid by the respondents/plaintiffs. Consequently, the suit is also dismissed as infructuous. The status report filed by the appellants/T.N.E.B. shall form part and parcel of this Judgment. No costs. Consequently, the connected Miscellaneous Petition is closed.

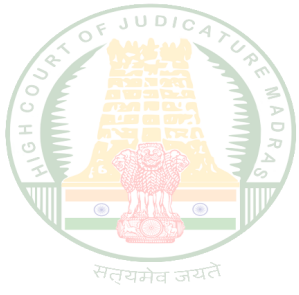
07.01.2025

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To

Appellate Authority/II Addl. Sub-Judge,
Coimbatore.

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T.V.THAMILSELVI, J.

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