

In the Court of the Subordinate Judge, Nagapattinam
Present: Thiru. P.S.Gowthaman, M.A.,B.L.,
Subordinate Judge, Nagapattinam
Wednesday, the 4th day of September 2013
Original Suit No.50/2011

1. Marahathavalli
2. Thangathurai
3. Poonkuzhali
4. Ramanathan

.. Plaintiffs

VS

1. Superintending Engineer,
Tamil Nadu Electricity Board,
Nagapattinam.
2. Junior Engineer (Operation & Maintenance),
Tamil Nadu Electricity Board,
Vedharanyam.
3. Tamil Nadu State represented by
The District Collector, Nagapattinam.

.. Defendants

As per Order in P.O.P.81/2010 dated 18.10.2011 taken on file as Original Suit 50/2011 on 23.12.2011 and this suit coming before me for final hearing on 04.09.2013 in the presence of P.Venkatesan, counsel appearing for the plaintiff and Tr.R.Paramanandam, Government Pleader appearing for the defendants one to three, on 04/09/2013 plaintiffs not present and no representation on their behalf, at this stage, this court, pronounced the following

JUDGEMENT

Original suit is filed by the plaintiffs praying to order the defendants one and two jointly and severally pay to the plaintiffs a sum of Rs.4,00,000/- as damages , with subsequent interest from the date of plaint till realisation, for costs and other reliefs.

2. The following issues have been framed .

1. Whether the defendants are jointly or severally liable to pay a sum of Rs.4,00,000/- to the plaintiffs as damages along with interest?
2. Whether the defendants are liable to pay the cost of the suit to the plaintiffs ?
3. Whether the death of Murugesan caused due to the negligence or carless conduct of Murugesan?
4. To what other relief the plaintiffs are entitled to ?

3. PW.1 not present. No representation. Already several chances given as Last Chance, Last Chance (Finally) also given. Hence suit is dismissed for default. No costs.

Pronounced by me in the open court, on this the 4th day of September 2013.

Subordinate Judge,
Nagapattinam.

Witness examined on the side of plaintiffs

PW.1 Maragathavalli (First plaintiff)

Documents marked on the side of plaintiff

NIL

Sub Judge,
Nagapattinam.

In the Court of the Subordinate Judge, Nagapattinam

Present: Thiru. P.S.Gowthaman, M.A.,B.L.,

Subordinate Judge, Nagapattinam

Wednesday, the 4th day of September 2013

Original Suit No.50/2011

1. Marahathavalli aged 35 years son of Murugesan, residing at Nadukadu, Karupampulam vattam, Vedharanyam Taluk and Nagapattinam District Munsifi
2. Thangathurai aged 22 years son of Murugesan residing at the abovesaid address
3. Poonkuzhali aged 20 years son of Murugesan residing at the above said address
4. Ramanathan aged 60 years son of Veerasamy residing at the abovesaid address

.. Plaintiffs

VS

1. Superintending Engineer, Tamil Nadu Electricity Board, Nagapattinam having his Office at Nagapattinam Town, Taluk and District Munsifi
2. Junior Engineer (Operation & Maintenance), Tamil Nadu Electricity Board, Vedharanyam having his Office at Vedharanyam, Nagapattinam District Munsifi
3. Tamil Nadu Government represented by the District Collector, Nagapattinam having his Office at Nagapattinam Town, Taluk and District Munsifi .. Defendants

Original suit is filed by the plaintiffs praying to order the defendants one and two jointly and severally pay to the plaintiffs a sum of Rs.4,00,000/- as damages , with subsequent interest from the date of plaint till realisation, for costs and other reliefs.

Plaint presented on 28.09.2006 & 28.10.2009

Plaint taken on file on 23.12.2011 (As per Order in P.O.P.81/2010 dated: 18.10.2011)

Cause of action arose on 30.09.2005, 01.10.2005, 17.10.2005, 22.11.2005 at Vedharanyam Taluk, Karupampulam village.

Suit is valued Rs.4,00,000/- and Court fee of Rs.30,000.50 is paid U/S. 22 of Tamil Nadu Court Fees and Suits Valuation Act.

As per Order in P.O.P.81/2010 dated 18.10.2011 taken on file as Original Suit 50/2011 on 23.12.2011 and this suit coming before me for final hearing on 04.09.2013 in the presence of P.Venkatesan, counsel appearing for the plaintiff and Tr.R.Paramanandam, Government Pleader appearing for the defendants one to three, on 04/09/2013 plaintiffs not present and no representation on their behalf, at this stage, this court, doth order and decree as follows:

1. that the suit be and the same is hereby dismissed for default;
2. that there be no costs. (No cost list is put in by both parties)

Given under my hand and seal of this court, on this the 4th day of September 2013.

Subordinate Judge,
Nagapattinam.