



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Thursday, the Twenty Sixth day of July Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CMP(MD) No.3656 of 2018

IN

CMA(MD) No.188 of 2012

THE DIVISIONAL MANAGER,
IFFCO TOKYO GENERAL INSURANCE COMPANY LTD.,
KFCMF BUILDING,III BLOCK, CUNNINGHAM ROAD,
BANGALORE.

... PETITIONER/PETITIONER/
APPELLANT

Vs

1 R.BOSE,
2 B.INDRA,

... RESPONDENTS/RESPONDENTS/
RESPONDENTS

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to order service of notice on the 2nd respondent in MP.No.1 of 2011 in CMA.No.188 of 2012 by means of substituted service and by publication of notice to the 2nd respondent in Malai Malar Tamil Daily in Madurai Edition, and also to pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of the case and thus render justice

Prayer in CMA(MD). 188/ 2012 :

To set aside the fair and decreetal order dated 4.10.2010 made in MCOP No.530 of 2008 on the file of MACT (IV Addl.Sub Judge), Madurai and allow this CMA and thus render justice.

ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.S.SRINIVASA RAGHAVAN, Advocate for the petitioner and of on behalf of the Respondents the court made the following order:-

This petition has been filed by the petitioner / Insurance Company seeking permission of this Court to order service of notice on the 2nd respondent in M.P.(MD).No.1 of 2011 in C.M.A.(MD).No.188 of 2012 by means of substituted service.

2. Considering the reasons stated in the affidavit filed in support of the petition, the petitioner / Insurance Company is



permitted to serve notice to the 2nd respondent through substituted service by effecting paper publication in any one of the Tamil Daily newspapers which is having wide circulation in the locality, by duly indicating the date of next hearing as 16.08.2018.

3. The said exercise shall be completed on or before 09.08.2018 and the proof of paper publication should be filed before the Registry.

4. This petition is accordingly ordered.

5. The Registry is directed to post the appeal for hearing on 16.08.2018.

sd/-

26/07/2018

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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

THE IV ADDITIONAL SUBORDINATE JUDGE,
MOTOR ACCIDENT CLAIMS TRIBUNAL,
MADURAI

ORDER

IN

CMP (MD) No.3656 of 2018

IN

CMA (MD) No.188 of 2012

Date :26/07/2018

SMA/RR/SAR-3/26.07.2018:2P/2c