



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

Friday, the Fifteenth day of March Two Thousand Nineteen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CMP(MD) No.2731 of 2019
IN
TR CMP(MD) No.460 of 2018

V.NEETHIMOHAN

... PETITIONER/ PETITIONER

- Vs-

1 N.KANNAMMAL
2 N.S.SIVARAJ
3 N.UDAYAKUMAR
4 N.VALARMATHI
5 N.NAGARAJAN

... RESPONDENTS/ RESPONDENTS

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to order substituted service for the respondents 1 to 5 in one of the daily Tamil Newspaper or in "Malai Malar" Coimbatore edition and thus render justice.

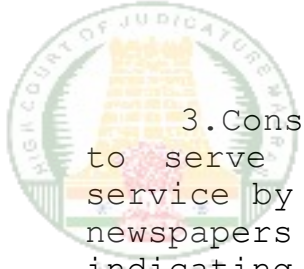
Prayer in TR CMP(MD) . 460/ 2018 :

Pleased to pass an order withdrawing the appeal in AS No.242 of 2000 on the file of the Principal District Court, Madurai and to transfer the same to the file of this Hon'ble Court to be heard along with the appeals in AS No.665 of 2001 and AS No.666 of 2001 pending before this Hon'ble Court and pass such other further orders as this Hon'ble Court deems fit and proper in the circumstances of the case 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 Mr.T.R.JEYAPALAM, Advocate for the petitioner, the court made the following order:-

This petition has been filed by the petitioner with a prayer for effecting service on respondents 1 to 5 by substituted service, i.e., by publication in a Tamil Daily, as difficulty was encountered in serving the said respondents through the usual modes.

2.It is stated by the learned counsel for the petitioner that though the petitioner has sent notice to the respondents 1 to 5 twice, the same have been returned as 'no residence' and 'address cannot be located'. Hence, he requested this Court to permit the petitioner to effect substituted service.



3.Considering the above submission, the petitioner is permitted to serve notice to the respondents 1 to 5 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 01.04.2019.

4.The said exercise shall be completed on or before 25.03.2019 and the proof of paper publication should be filed before the Registry.

5.The petition is ordered accordingly.

6.Post the Tr.C.M.P(MD)No.460 of 2018 on 01.04.2019 for hearing.

sd/-
15/03/2019

/ TRUE COPY /

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

TO
THE PRINCIPAL DISTRICT JUDGE,
MADURAI.

COPY TO:
THE SECTION OFFICER,
JUDICIAL SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CMP(MD) No.2731 of 2019
IN
TR CMP(MD) No.460 of 2018
Date :15/03/2019

MS/PN/SAR-2/18.03.2019/2P.3C