



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

Thursday, the Seventh day of March Two Thousand Nineteen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CMP(MD) No.350 of 2019

IN

SA(MD) No.SR35161 of 2006

1.K.MUTHULAKSHMI,
2 P.K. SELVANTHAN
3 P.K.SWAMINATHAN
4 P.K.ANANTHANAYAGI

... PETITIONERS/PETITIONERS

Vs

1 SHEIK MYDEEN
2 MADATHI AMMAL
3 PASUPATHI AMIRTHAM
4 MURUGAN
S/O.THANGAVEL NADAR

5 SELVAM
6 ASIR KOVILMANI
7 KAVITHA
8 SHENBAGAM

9 MURUGAN
S/O.ETHIRAJA PILLAI,

10 CHANDRA

11 THIYAGARAJAN
S/O.THIYAGARAJAN

GOMATHI (DECEASED)
W/O.RAMA SUBBAIYAR

12 P.VELLAIDURAI
13 GURUSAMY
14 PALANI

... RESPONDENTS/RESPONDENTS

Petition praying that in the circumstances stated therein
and in the affidavit filed therewith the High Court will be pleased
to permit the petitioners to take substituted service to the
respondents 2, 4, 7, 8 & 12 by paper publication in one issue of



Tamil Daily in Tirunelveli locality in the above Second Appeal in MP No.2 of 9 2011 in SA SR (MD)No.35161 of 2006 on the file of this Honble and thus render justice.

PRAYER IN SA(MD) No.SR35161 of 2006:-

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To allow this second Appeal and set aside the judgment and decree passed in A.S.No.65/2005 dated 13.07.2005 on the file of IInd Additional Sub Judge, Tirunelveli with costs and remand back the case to the trial Court to prove the additional documentary evidence now produced by the appellants along with this second Appeal, direct the trial Court to consider them on merits and thus justice may be rendered.

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.D.NALLATHAMBI, Advocate for the petitioner, the court made the following order:-

It is stated by the learned counsel for the petitioners that though notices sent to the respondents 2, 4, 7, 8 & 12, they were returned with an endorsement "No residence". Hence, the petitioners filed this petition seeking permission of this Court to effect substituted service to the said respondents.

2.Considering the above submission, the petitioners are permitted to serve notice to the respondents 2, 4, 7, 8 & 12 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 21.03.2019.

3.The said exercise shall be completed by the petitioners on or before 15.03.2019 and the proof of paper publication should be filed before the Registry. This petition is accordingly ordered.

4.Post the matter on 21.03.2019 for hearing.

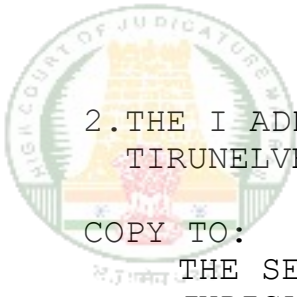
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07/03/2019

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

TO

1.THE II ADDITIONAL SUBORDIANTE JUDGE,
TIRUNELVELI



2. THE I ADDITIONAL MUNSIF,
TIRUNELVELI.

COPY TO:

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

ORDER
IN
CMP (MD) No.350 of 2019
IN
SA (MD) No.SR35161 of 2006
Date :07/03/2019

AE/JC/SAR-2/08.03.2019/3P/4C