



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

Thursday, the Twelfth day of September Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice KRISHNAN RAMASAMY

CMP (MD) No.8295 of 2019
IN CMA.(MD)No.SR29870 OF 2017

1 THE DIVISIONAL MANAGER,
UNITED INDIA INSURANCE COMPANY LTD.,
NO.1, CANTONMENT, PROMODE ROAD,
TRICHY DISTRICT.

... PETITIONER/APELLANT

Vs

1 SELVARAJ,

2 N.PALANIAPPAN,

... 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 petitioner to take substituted services by the 2nd respondent herein by way of paper publication in any one of Tamil Dailies and thus render justice.

PRAYER IN CMA.(MD)No.SR29870 OF 2017:

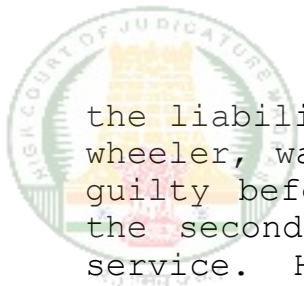
Pleased to set aside the Decree and Judgment dated 14.12.2016 made in M.C.O.P.No.92 of 2012 on the file of the Special Sub Judge, Dindigul.

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.A.ILANGO, Advocate for the petitioner the court made the following order:-

This petition has been filed to permit the petitioner to take substituted services for the second respondent by way of paper publication in any one of Tamil Dailies.

2. The learned counsel for the petitioner /Insurance Company submitted that this Court, by order dated 25.06.2019, ordered notice to the respondents in C.M.P.(MD) No.4550 of 2019 in CMA(MD) No.SR29870 of 2017, filed by the Insurance Company, seeking to restore the petition to condone the delay of 83 days in filing the appeal. While notice sent to the first respondent was served, notice sent to the second respondent returned as not known. The learned

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the liability, stating that the second respondent, rider of the two-wheeler, was not having a valid driving licence and he also pleaded guilty before the Judicial Magistrate, notice should be served on the second respondent, who is a contesting party, by substituted service. Hence, this petition.

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3. In view of the above, the petitioner is directed to effect paper publication for the second respondent in (Tamil Daily) Malai Murasu, indicating the date of hearing of this appeal as "14.10.2019".

4. Accordingly, this petition is allowed.

sd/-
12/09/2019

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

TO

1 THE SPECIAL SUB JUDGE, DINDIGUL.

ORDER
IN
CMP (MD) No.8295 of 2019
IN CMA. (MD) No. SR29870 OF 2017
Date :12/09/2019

TR/JC/SAR-I (20.09.2019) 2P 2C