



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

Tuesday, the Twentieth day of June Two Thousand and Twenty Three
PRESENT

The Hon`ble Mr.Justice P.VELMURUGAN
CMP(MD) No.2121 of 2023

in
SA(MD) No.665 of 2005

1 SMT.PECHIAMMAL

2 SELLAMANI

3 MURUGAN

4 VELMURUGAN

5 PALANIMURUGAN

6 SITHIAMMAL

7 SUBBULAKSHMI

8 DHANALAKSHMI

... Petitioners / Appellants

Vs

1 C. KARUPPUSAMI

2 ROTTI @ SITHAN

3 SANKAR @ SUBBIAH (DIED)

4 MARIMUTHU

5 SUBBAIAH (DIED)

6 MADURAI ARULMIGU TAMIL
THIRUGANANSAMBANTHA SWAMIGAL ATHEENAM,
THROUGH ITS ATHEENA KARTHER NO.73,
SOUTH AVANI MOOLA STREET,
MADURAI - 625 001.

... Respondents / Respondents

7 NALLAL

8 KARUPPUSAMY

9 AZHAGU NACHI

10 ROJA



11 SANKARAAI

12 MURUGAN (DIED)

13 PALANIAMMAL

14 MAYILAMMAL

... Respondents 7 to 14 /
Proposed Respondents 7 to 14

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to permit the petitioners / appellants to serve notice to respondents 9,10,13 and 14 by substituted service i.e. by way of publication in any one of the tamil daily news papers, circulated in the area of residence of the respondents 9, 10,13 and 14.

Prayer in SA(MD No.665 of 2005:

To prefer this memorandum of grounds of second appeal against the decree and judgment made in A.S.No.81 of 2003 dated 25.11.2004 on the file of the Subordinate Judge, Sivaganga.

ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.S.RAMESH, Advocate for the petitioners, the court made the following order:-

Despite taking all efforts to serve notice to the respondents 9, 10, 13 and 14, they could not be served. Therefore the present petition is filed to take substituted service to them.

2. The reasons stated in the accompanying affidavit are satisfactory. The petition is therefore ordered.

3. Issue paper publication in one issue of 'Dinamalar', in an Edition that cover the residences of the above said respondents on or before 17.07.2023.

4. The learned counsel for the petitioners is directed to file a memo affixing a copy of paper publication well in advance before the Registry.

5. List the matter on 18.07.2023 'for reporting compliance'.

sd/-

20/06/2023

/ TRUE COPY /

/06/2023

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



CMP(MD)



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To

The Subordinate Judge,
Sivaganga.

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ORDER

IN

CMP (MD) No.2121 of 2023

in

SA (MD) No.665 of 2005

Date :20/06/2023

ED/VR/SAR- (30/06/2023) 3P 2C