



C.M.P. No. 19620 of 2024
in S.A.No. 1146 of 2008

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T.V.THAMILSELVI, J.

This Civil Miscellaneous Petition has been filed seeking to pass an order to take substituted service (1) by affixture on C.N.B. & L.K.R. (2) by effecting publication in anyone of issue of Tamil Daily newspaper in the locality at Gingee Taluk, Villupuram District as against the respondents 4, 6 and 7.

2. Mr.P.Thirumalai, learned counsel for petitioners/appellants appeared and submitted that the respondents 4, 6 and 7 are deliberately evading service of summons and even if any decree passed by this court without conclusive proof of service against them, the error being incurable as the non-service of notice to the parties, which would become nullity and it would also cause multiplicity of proceedings. Hence, he filed the present petition praying to permit him to take substituted service by effecting publication.



C.M.P. No. 19620 of 2024
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3. Mr.R.Balaji, learned counsel for 2nd respondent appeared and submitted that he has no objection in allowing this petition.

4. Considering the facts and circumstances and on considering submissions of learned counsel for petitioners, in the interest of justice, this petition is allowed and the petitioners are permitted to take substituted service by way of paper publication on the respondents 4,6 and 7 in anyone local Tamil daily having wide circulation in the locality at Gingee Taluk, Villupuram District stating that the above Second Appeal will be taken up for hearing on 24.10.2024.

19.09.2024

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19.09.2024
(2/2)