



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 19-02-2026**

CORAM

**THE HON'BLE MR.JUSTICE S. SOUNTHAR**

**CRP No. 830 of 2026**

R.Sakthivel.

..Petitioner(s)

Vs

K.S.Karthigeyan

..Respondent(s)

**PRAYER:** Civil Revision Petition is filed under Article 227 of Constitution of India praying to direct the learned Trial Court to order the substitute service thereby enable the petitioner/plaintiff to complete service to the respondent/defendant in OS No.68 of 2025 on the file of the Learned Sessions Judge (Mahila Court) at Chengalpattu.

For Petitioner(s):

M/s.M.Abbiraami  
for Mr.P.Dinesh Kumar

### **ORDER**

The civil revision petition is filed seeking a direction to the trial court to order substituted service to the defendant in OS.No.68 of 2025 on the file of Sessions Judge (Mahila Court), Chengalpattu.

2. The petitioner herein filed a suit for specific performance against the respondent. Even though summons have been taken to respondent/defendant for more than three times, at all occasions the summons have been returned with an endorsement “no such person”, “left”, “addressee vacated”. According to the



learned counsel for the petitioner, the trial court is ordering fresh notice to respondent again and again. Therefore, the trial court may be directed to permit the petitioner to serve respondent through substituted service.

3. The court can order substituted service only if it is satisfied that the defendant is evading service of notice. If the petitioner is of the opinion that the defendant is evading service, it is for him to file an appropriate application before the trial court and convince the court about the fact of evasion by the respondent. Therefore, this court is not inclined to issue any positive direction to the trial court. However, the petitioner is permitted to file appropriate application before the trial court seeking substituted service. If any such application is filed, the same shall be considered by the trial court on its own merits without being influenced by anything said in this order.

4. With this observation, the civil revision petition stands disposed. No costs.

**19-02-2026**

Index: Yes/No  
Speaking/Non-speaking order  
Neutral Citation: Yes/No

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To  
The Sessions Judge (Mahila Court), Chengalpattu



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**S.SOUNTHAR, J.**

**NR**

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