

IN THE COURT OF THE MUNSIFF, KOCHI

Present:-

Sri. Nishad Ibrahim., Principal Munsiff

Tuesday, the 18th day of November, 2025/ 27th Karthika, 1947.

I.A No. 04/2025 in O.S No. 101/2024

Petitioner/Plaintiff:-

M/s. Regent Plus, a regd. partnership firm having its place of business XII/265-A(1), Arakkaparambu Road, Pandikudy, Kochi – 682002, rep. by its Managing Partner, Joseph Francis, aged 60 years, S/o. C.J. Philip, Swararag House, Aakkaparambu Road, Pandikudy, Kochi – 682002.

**By Advs. Varghese C. Kuriakose, Ranimol M.T.,
Jisa P. Jose & Amritha J.**

Respondents/Defendants:-

1. M/s. Marble Valley Foods and Beverages Pvt. Ltd., 349, Subramaniyapuram, Eraippuvari Village, Nanguneri Taluk, Tirunelveli District, Tamil Nadu – 627108, represented by its Managing Director, Shaji Mathew, aged 54 years, S/o. Mathew Murinjakallel.
2. Shajy Mathew, aged 54 years, S/o. Mathew Murinjakallel, Managing Director, C-5, Casablanca Apartments, Vazhakkala, Kakkanad, Ernakulam, Kochi – 682030.

No appearance

This Petition filed under Section 151 of the Code of Civil Procedure, to declare that by the service of summons on the 2nd defendant managing partner, service on the 1st defendant is completed as the very same 2nd defendant is figuring as the person representing the 1st defendant in the suit and having been finally heard on 01.11.2025 and court on 18.11.2025, passed the following:-

ORDER

This is a petition filed by the plaintiff u/s 151 Code of Civil Procedure to declare that by the service of summons on the 2nd defendant, the service on 1st defendant is completed.

2. Heard

3. According to the learned counsel for the petitioner/plaintiff, the 1st defendant is a firm at Thirunelveli and the 2nd defendant who is the managing partner is residing at Ernakulam. The learned counsel pointed out that as per the order in IA 3/2025, service of summons on the defendants was effected by paper publication. According to the learned counsel since the 2nd defendant is the managing partner of the 1st defendant, notice/summons to the 1st defendant can be served on the managing partner. Accordingly, he argued that the service of summons against D1 was liable to be declared complete.

4. As per the order in IA 3/25, the petitioner has produced paper publication dated 02.08.2025 against the 2nd defendant. As per the plaint, the 1st defendant is represented by the 2nd defendant and the 1st defendant is a company incorporated under the Companies Act, 2013.

5. Order XXIX of Code of Civil Procedure deals with suits by or against corporations. As per Order XXX Rule 2(a), subject to any statutory provision regulating service of process, when the suit is against a

corporation, the summons may be served on the secretary or on any director, or other principal officer.

6. The petitioner has stated that as per Order XXX of Code of Civil Procedure which deals with suits by or against firms and persons carrying on business in names other than their own, the service of summons on 2nd defendant is sufficient for the firm also.

7. From the above discussion, this court is of the view that the service of summons by substituted service against the 2nd defendant is as good as service against the 1st defendant. Accordingly, this petition is liable to be allowed.

In the result, the petition is allowed as follows:-

1. It is declared that the service of summons against the 1st defendant is complete.
2. No order as to cost.

Pronounced by me in open Court on this the 18th day of November, 2025.

Sd/-
Nishad Ibrahim
Principal Munsiff

APPENDIX:- Nil

Id/-
Principal Munsiff

///*True Copy*///

Principal Munsiff

Order in
I.A No. 04/2025 in
O.S No. 101/2024
Dated: 18.11.2025