

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

B E F O R E T H E R E G I S T R A R S . G . S H A H

Petition(s) for Special Leave to Appeal (Civil) No(s).1 0 1 8 9 / 2 0 0 6

(From the judgement and order dated 2 8 / 0 2 / 2 0 0 6 in CR P No. 1 5 0 7 / 2 0 0 5  
of  
The HIGH COURT OF MAD R A S )

A . V I J A Y A

Petitioner(s)

V E R S U S

U . T H I Y A G A R A J A N & A N R  
(With prayer for interim relief )

Respondent(s)

Date: 1 8 / 0 2 / 2 0 0 8 This Petition was called on for hearing today.

For Petitioner(s) Mr. T. Harish Ku m a r , Adv.

For Respondent(s) Ms. N. Shoba, Adv.  
Mr. Sri Ra m J. Thalapath m, Adv.  
Mr. V. Adhimoola m, Adv.

UPON hearing counsel the Court made the following  
O R D E R

There is Court's Order to issue notice on 1 2 th July, 2 0 0 6 , petiti

oner has failed to serve the unserved respondent No.1. P roceedings shows that matter was adjourned on several dates, for confirming service upon u nserved respondent No.1. Petitioner has filed application for substituted service on 3 rd October, 2 0 0 7 which was allowed on 4 th October, 2 0 0 7 by this Court. Since then petitioner has failed to disclose the outcome of publication on record till date.

In view of the above fact, list the matter before the Hon'ble Chamber Judge by disclosing above details for non- prosecution against u nserved respondent No. 1.

On verification it is disclosed by Learned Advocate Mr. K ovilan appearing on behalf of Mr. T. Harish Ku m a r , Advocate for the petitioner that Original Suit is pending before the Trial

..2/-

Court, however they are not certain about stage of such Suit.

It is also stated by him that unserved respondent herein is not appearing before the Trial Court. He is not certain about the status of service, whether it is properly served upon unserved respondent in the suit or not.

He is requested to verify such fact from either petitioner/plaintiff or his Advocate before the Trial Court and to disclose it on-record before the listing of

the case before the Hon'ble Chamber Judge.

Office is directed to enquire  
regarding the status of OS No. 8 8 4 3  
Defendant No.1 in such Suit.

from the City Civil Court, Chennai  
of 1 9 9 8 and status of service upon

(S.G. Shah)  
Registr a r

MG