

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

BEFORE THE REGISTRAR S.G. SHAH

TRANSFER PETITION (CIVIL.) NO(s). 814 OF 2011

VIJAYARANGAM INDUMATI & ORS. Petitioner(s)

VERSUS

VEERAPPACHETTI LINGA SWAMY & ORS. Respondent(s)

(With appln(s) for stay and office report)

WITH
T.P.(C) NO. 820 of 2011
(With office report)

Date: 13/12/2011 This Petition was called on for hearing today.

For Petitioner(s)
Mrs Malavika G, Adv.
Mr. Sureshan P.,Adv.

For Respondent(s)

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

The ld. Advocate for the petitioner has pointed out that unserved respondents are co-plaintiff before the Trial Court and notices could not be served upon them though same is served upon other respondents at the same address. In view of such fact, let there be fresh notice which is to be forwarded for service upon the unserved respondents through the concerned Trial Court- to which stay order is forwarded- with the specific direction to the Process Server to serve the notice upon the unserved respondent (who is the plaintiff before that Court in pending litigation) either through the learned Advocate appearing for such litigant or even by affixing the same at the address disclosed before

Item No.19

that Court in the petition filed by the present respondent, since he could not be served by regular notice.

If any respondent is not found at the registered

address and failed to disclose his/her correct address, in the matter which is pending before that Court, then that Court shall take appropriate steps, as per Code of Civil Procedure.

Process fee and spare copies to be paid before 7.1.2012.

If not paid, list before the Hon'ble Judge in Chambers for non-prosecution against unserved respondent.

If paid, issue notice as per above order.

The Trial Court can also confirm service through following advocates in view of statement made in plaint (Annex.P/1 at Page Nos.12-24)itself that the address for service of summons and notices on the plaintiffs is that of their counsel M/s Y Nageswara Rao, Y.V.Usha Kiran, K.R.V.Bhadra Raju, G.M.Basha and R Viswanatham, Advocates, Kakinada.

The ld. Advocate has filed counter affidavit in TP(C) No. 814/2011 but there is no vakalatnama. If they so desire, they may file it. If vakalatnama is filed, registry has to verify the record and document shall be placed in order without fail.

List again on 1.2.2012.

(S.G.SHAH)
REGISTRAR

hj