In the Court of

I.A. No.\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ of 20\_\_\_\_\_

In

O.S. No.\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_of 20\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ … Petitioner / Applicant / Plaintiff

Versus

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ … Respondent / Defendant

**Affidavit of Service**

 I, ………………………………………………………….. son of………………………………... aged about …………years, residing at …………………………………………………………………. hereby solemnly affirm and sincerely state as follows:

1. I am the registered clerk of the Petitioner’s Counsel on record / I am the Counsel on Record for the Petitioner and as such I am well aware of the facts of the case.
2. In the above Application / Petition, notice to the respondent was ordered returnable by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ 20\_\_\_\_\_\_\_. As per the orders of this Hon’ble Court, notice is taken out to the Respondent. The copy of the notice along with acknowledgement is enclosed herein, as proof of service.
3. The Registered cover sent to the Respondent has been returned to the sender with an endorsement that the addressee has left / has refused to receive / has not claimed.
4. This may kindly be recorded and pray this Hon’ble Court to pass further orders.

|  |  |
| --- | --- |
| Solemnly affirmed at Chennai on this the ……..day of ………………………….20…….. and signed his name in my presence | Before meAdvocate, Chennai |

Counsel for Petitioner / Applicant / Plaintiff

|  |  |
| --- | --- |
|  | In the Court ofChennaiI.A. No.\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ of 20\_\_\_\_\_inO.S. No.\_\_\_\_\_\_\_\_\_\_\_\_\_\_ of 20\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_… Petitioner / Applicant / PlaintiffVersus\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_… Respondent / Defendant**Affidavit of Service**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Counsel for Petitioner / Applicant / Plaintiff |

In the Court of

I.A. No.\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ of 20\_\_\_\_\_

In

O.S. No.\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_of 20\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ … Petitioner / Plaintiff

Versus

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ … Respondent / Defendant

**Affidavit of .**

 I, ………………………………………………………….. son of………………………………... aged about …………years, residing at …………………………………………………………………. hereby solemnly affirm and sincerely state as follows:

1. I am the ………………………………. In the above case and as such I am well aware of the facts of the case.
2. The Plaintiff took summons to the defendant’s address. The defendant evades to receive summons. The Plaintiff took steps for …………………. Times to serve the defendant. On all the occasions the defendant evaded to receive summons.
3. As the defendant purposely evades to receive summons, it is not possible to serve the defendant in the ordinary course.

In these circumstances, it is prayed that this Hon’ble Court may be pleased to order substituted service (1) by affixture on C.N.B. & L.K.R., (2) by publication in one issue of…………………….. and render justice.

|  |  |
| --- | --- |
| Solemnly affirmed at Chennai on this the ……..day of ………………………….20…….. and signed his name in my presence | Before meAdvocate, Chennai |

In the Court of

I.A. No.\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ of 20\_\_\_\_\_

In

O.S. No.\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_of 20\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ … Petitioner / Plaintiff

Versus

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ … Respondent / Defendant

**Petition under Order 5, Rule 20 C.P.C.**

 For the reasons stated in the accompanying affidavit it is prayed that this Hon’ble Court may be pleased to order substituted service to the defendant (1) by affixture on C.N.B. & L.K.R., (2) by publication in one issue of…………………………………. and render justice

 Dated at Chennai on this the ……………day of …………………………..20………

Advocate for Petitioner / Plaintiff

|  |  |
| --- | --- |
| Assistant JudgeI.A. No.\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ of 20\_\_\_\_\_inO.S. No.\_\_\_\_\_\_\_\_\_\_\_\_\_\_ of 20\_\_\_\_\_Petitioners / Plaintiffs pray to order substituted service.(1) by affixture on C.N.B. & L.K.R.(2) by Publication in one issue of\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**Order 5, Rule 20 C.P.C.** | In the Court ofI.A. No.\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ of 20\_\_\_\_\_inO.S. No.\_\_\_\_\_\_\_\_\_\_\_\_\_\_ of 20\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_… Petitioner / PlaintiffVersus\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_… Respondent / Defendant**Petition under Order 5, Rule 20 C.P.C.**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Advocate for Plaintiff / Defendant |

In the Court of Small Causes at Chennai

Suit No.\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ of 20\_\_\_\_\_

Hearing Date :\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Versus

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

To

 THE REGISTRAR

Sir,

 Please transmit the Summons herein to the District Munsiff’s Court of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ for service on the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Defendant above named residing at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ a Village attached to \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ in the District of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Chennai

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ 20\_\_\_\_\_\_\_ Advocate for Plaintiff