

“14. Section 27 gives rise to a presumption that [service](#) of notice has been effected when it is sent to the correct address by registered post. In view of the said presumption, when stating that a notice has been sent by registered post to the address of the drawer, it is unnecessary to further aver in the complaint that in spite of the return of the notice unserved, it is deemed to have been served or that the addressee is deemed to have knowledge of the notice.

Unless and until the contrary is proved by the addressee, service of notice is deemed to have been effected at the time at which the letter would have been delivered in the ordinary course of business. This Court has already held that when a notice is sent by registered post and is returned with a postal endorsement “refused” or “not available in the house” or “house locked” or “shop closed” or “addressee not in station”, due service has to be presumed. [Vide *Jagdish Singh v. Natthu Singh*, AIR 1992 SC 1604, *State of M.P. v. Hiralal & Ors.*, (1996) 7 SCC 523, and *V. Raja Kumari v. P. Subbarama Naidu & Anr.*, (2004) 8 SCC 77].”

*C.C. Alavi Haji v. Palapetty Muhammed* 147 PLR 813 (SC)

No tags for this post.