



IN THE HIGH COURT OF JUDICATURE AT MADRAS

RESERVED ON : 17.03.2023

PRONOUNCED ON : 27.04.2023

CORAM

THE HONOURABLE MR.JUSTICE **C.V.KARTHIKEYAN**

O.P.No.598 of 2019

S.Saranya

... Petitioner

vs.

1.B.Ponnusamy

2.P.Lakshmi

... Respondents

PRAYER: Original Petition filed under under Section 372 of the Indian Succession Act r/w under Order XXV Rule 6 of the Original Side Rules to issue a Succession Certificate to the petitioner with power to collect the debts and to receive the interest specified in the schedule hereto.

For Petitioner :Mr.M.L.Ramesh

For Respondents :Mr.R.Balasubramanian



WEB COPY

ORDER

This petition had been filed under Section 372 of Indian Succession Act, 1985 and under relevant provisions of the Original Side Rules seeking succession certificate relating to the dues belonging to the deceased P.Ponnudurai.

2.The petitioner claims that she is the wife of Late P.Ponndurai. She claimed that they got married on 20.01.2016 in accordance with the Hindu Marriage Act. The marriage was also registered with the Sub Registrar of Marriages on the file of the Sub Registrar, Sembiam in Chennai. The first and second respondents are the parents of P.Ponndurai. It had been therefore claimed that the petitioner and the second respondent are the only Class-I legal heir to succeed to the estate of P.Ponndurai, in accordance with the provisions of Hindu Succession Act, 1956.

3.The petitioner claims that her husband, P.Ponndurai, died



WEB COPY

intestate on 21.06.2017 at Chennai. He was working as Assistant Manager at Ramanujam IT City, TRIL Infopark Limited-SEZ, Taramani, Chennai. The petitioner claims that she approached the said Company for payment of dues which had accrued to the said P.Ponnudurai. She had also sent a legal notice. The said company then issued a reply calling the petitioner to obtain Succession Certificate. It is under these circumstances, this petition had been filed seeking Succession Certificate.

4.A counter affidavit had been filed by the first respondent, B.Ponnusamy, which was adopted by the second respondent. It must be kept in mind that they are the parents of Late.P.Ponnudurai.

5.In the counter affidavit, it had been stated that P.Ponnudurai had studied MCA and after completion of his Masters degree, he got job in City Corp, Ramanujam I.T., Park, Chennai, where, he was working from 2015 onwards. He stayed in a private room near by his office. He had raised a loan from a private bank. It was stated that a call was received



WEB COPY

on 21.06.2017 at 02.00 am that P.Ponnudurai had died and asking the respondents to come to Chennai. Both the respondents came to Chennai and went to Kilpauk Medical College Hospital at 04.30 am at 22.06.2017. Then they made some enquiries and were informed that the petitioner herein is said to have married P.Ponnudurai. They made further enquiries with one one Srinivasan, father of the petitioner, but the respondents were threatened.

6. Thereafter, they claimed that their signatures were forcibly obtained by the Sub Inspector of Police, J.J.Nagar Police Station, at Chennai. They then took the body to their native place. They buried the body according to their customs. They claimed that the petitioner did not come for the burial. They further claimed that P.Ponnudurai had never married the petitioner herein. They claimed that P.Ponnudurai was murdered by the petitioner and her family members. They claimed that substantial amounts had been transferred to the petitioner's account from P.Ponnudurai's account to the extent of Rs.4,00,000/-.



WEB COPY

7.They lodged a complaint before the J.J.Nagar Police Station. But however, no action was taken. In the meanwhile, the petitioner had obtained legal heirship certificate from the Tahsildar, Thiruvallur, by suppressing real facts. The respondents alleged that the petitioner's father, Srinivasan, who was working in the Secretariat, had misused the power and obtained a bogus marriage certificate, as if the marriage was conducted at Siva Vishnu Temple at Periyar Nagar, Chennai by giving a false address.

8.The petitioner also filed a suit for partition relating to the property at Baitakodiambedu Village, Nagalapuram Mandalam, Chittor District, Andhra Pradesh. The suit in O.S.No.205 of 2018 had been filed before the District Munsif Court Sathyavedu, Andhra Pradesh.

9.The respondents then filed a Writ Petition in W.P.No.35527 of 2019 to revoke the legal heirship certificate. The respondents denied that the petitioner married their son. They claimed that they are alone the legal heirs of P.Ponnudurai. They sought dismissal of this petition.



WEB COPY

10.It must be mentioned that both this petition and the above Writ Petition were directed to be heard together. But the Writ Petition was independently listed before a learned Single Judge and was dismissed. Thereafter, this petition was listed for further hearing before this Court.

11.On the basis of the rival pleadings, the parties were directed to tender evidence.

12.During trial, the petitioner examined herself as PW-1 and marked Ex-P1 to Ex-P21. The first respondent examined himself as RW-1 and the Managing Trustee of the Temple, namely, Siva Vishnu Temple at Periyar Nagar, Chennai, was examined as RW-2. The respondents marked Ex-R1 to Ex-R18.

13.Ex-P1 was the copy of the marriage invitation, dated 20.01.2016, Ex-P2 was the copy of the marriage registration certificate,



WEB COPY

dated 10.03.2016, Ex-P3 was the computer generated death certificate of P.Ponnusamy, dated 30.04.2018, Ex-P4 was the legal heir certificate of Ponnudurai, dated 10.05.2018, Ex-P5 was the copy of the Aadhar Card of P.Ponnudurai, Ex-P6, Ex-P7, Ex-P8, Ex-P9 and Ex-P10 were the legal notices and correspondences exchanged with Citycorp Services India Private Limited, Ex-P11 was the paper publication, dated 04.01.2020 in Thina Boomi, Ex-P12, Ex-P13, Ex-P14, Ex-P15, Ex-P16, Ex-P17, Ex-P18, Ex-P19 were photographs of the marriage between the petitioner and the deceased P.Ponnudurai, which were marked during the cross examination of RW-1. Ex-P20 and Ex-21 were photographs of the marriage ceremony, marked during the cross of RW-2.

14.Ex-R1 was a marriage invitation of the petitioner with another individual, S.Pradeep, Ex-R2 was the copy of advance receipt paid to Kalyana Mandapam, Ex-R3 was a bill, Ex-R4, R5 and R6 were the photographs and CDs of marriage ceremony, Ex-R7 was the copy of FIR, Ex-R8 and Ex-R9 were the details of call logs, Ex-R10 was the statement of accounts of City Bank, Ex-R11 was the statement of accounts of City



WEB COPY

Union Bank, Ex-R12 was the statement of accounts of City Bank, Ex-R13 was the affidavit filed in W.P.No.35527 of 2019, Ex-R14 was an affidavit filed in W.P.No.6743 of 2020, Ex-R15 was the copy of the plaint in the suit filed by the petitioner before the District Munsif Court, Sathyavedu, Ex-R16 was the affidavit of the first respondent in the said suit, Ex-R17 was the family member certificate issued by the Government of Andhra Pradesh and Ex-R18 was the application filed by the first respondent to the temple. These documents have been marked during the cross examination of RW-1.

15.The issues which arise for consideration are:

(1)Whether the evidence produced by the petitioner is sufficient to hold that the petitioner had married P.Ponnudurai?

(2)Whether the contention of the respondents that there was no lawful marriage between the petitioner and P.Ponnudurai had been established by the respondents?

(3)Whether the contention of the respondents that remarriage



would disentitle the petitioner to be granted the relief sought is legally correct?

(4) Whether the petitioner is entitled for succession certificate as sought by her in the petition?

(5) Whether the second respondent/mother of P.Ponnudurai is also entitled for succession certificate?

(6) To what other reliefs the parties are entitled to?

16. Heard arguments advanced by Mr.M.L.Ramesh, learned Counsel appearing on behalf of the petitioner and Mr.R.Balasubramanian, learned Counsel appearing on behalf of the respondents.

17. It is the contention of Mr.M.L.Ramesh, learned Counsel for petitioner that the petitioner had married P.Ponnudurai, son of the respondents herein on 20.01.2016 and subsequently, the marriage had been registered in the Registrar of Marriage in Office of the Sub



WEB COPY

Registrar, Sembiam at Chennai. The learned Counsel stated that in accordance with the provisions of Hindu Succession Act, 1956, the petitioner and the second respondent alone can be recognised as Class-I legal heir.

18.The learned Counsel also stated that P.Ponnudurai, unfortunately died on 21.06.2017 and stated that succession to his estate opened up on that particular date. The learned Counsel stated that on that particular date, the petitioner and the second respondent alone could be categorised as Class-I legal heir. The learned Counsel further stated that the contentions of the respondents that there was no lawful marriage and that the petitioner was not entitled to be granted succession certificate are not correct and in this connection, placed reliance on the evidence produced, which shows that there had been a lawful marriage between the petitioner and the deceased P.Ponnudurai.

19.The learned Counsel further pointed out that subsequent marriage of the petitioner would not be a bar for her to be granted



WEB COPY

succession certificate, since on the date of death of P.Ponnudurai, as widow, she was Class-I legal heir. There was no legal bar for her to get remarried again. The learned Counsel insisted that the contention of the respondents should not be taken into consideration by this Court and by very fact, the petitioner had been established her marriage with P.Ponnudurai, had insisted an order being passed that the petitioner is entitled to be granted succession certificate along with the second respondent/mother of P.Ponnudurai.

20.Mr.R.Balasubramanian, learned Counsel for the respondents however disputed the contentions raised. It is the stand of the learned Counsel for the respondents that there was no legal marriage at all between the petitioner and P.Ponnudurai, son of the respondents. It had also been stated that the respondents had strived a lot to educate their son, P.Ponnudurai and stated that the marriage between the petitioner and the son of the respondents had not been even intimated to the respondents. They were not aware at all such marriage.



WEB COPY

21.The learned Counsel stated that the petitioner had the habit of marrying men and deserting them and re-marrying again, and on the strength of the earlier marriage, attempting to grab the properties. In this connection, the learned Counsel pointed out that the respondents were informed in the middle of the night on 21.06.2017 that their son had died and when they rushed to Chennai and saw the body in a stretcher at Kilpauk Medical College, they were informed that their son had committed suicided by hanging. The learned Counsel stated that the respondents were threatened by the Sub Inspector of Police of J.J.Nagar Police Station. Mover over, the father of the petitioner was working at Secretariat in Chennai and used his influence to ensure that no criminal case is proceeded in accordance with law as against the petitioner herein.

22.The learned Counsel stated that the respondents had buried their son in accordance with their customs, but the petitioner never came to participate in the ceremony to remove the sacred thali. Her parents also did not attend. The learned Counsel was emphatic in his submission that the petitioner had committed fraud on their son. He also stated that



WEB COPY

money had been transferred from the account of their son to the petitioner's account. The respondents had obtained loan to educate their son and the amount had been drawn by the petitioner herein. A complaint had been lodged against the petitioner and her father, but the Police did not take any action. It had also been stated that the Tahsildar issued a legal heirship certificate, even without enquiring the respondents. It was also pointed out that marriage certificate was issued with a false residential address and this was done only to grab the benefits, which had accrued to the son of the respondents.

23. The respondents had also filed W.P.No.35527 of 2019 to revoke the legal heirship certificate. The legal heirship certificate had been issued on 10.05.2018 by the Tahsildar. The learned Counsel pointed out the pitiable status of the respondents herein, who lost their son. It was also stated that during the pendency of the present Original Petition, the petitioner had married another person, S.Pradeep, but had suppressed that particular fact before the Court. The learned Counsel stated that the petitioner had no right to claim status as legal heir of the son of the



respondents.

WEB COPY

24.The learned Counsel stated that the chastity has to be kept by any widow and the very fact that the petitioner had remarried would show that she was not interested in the welfare or family of the respondents herein. The learned Counsel therefore stated that the petition should be dismissed. It was also pointed out that the second husband of the petitioner had also filed a petition for divorce on the ground of cruelty and life threat. The learned Counsel also placed reliance on Section 125(4) of the Code of Criminal Procedure, which stated that if a wife was living in adultery, she is not entitled for maintenance. The learned Counsel therefore stated that the respondents should be recognised to obtain the benefits from the employer of their son, namely, City Corp at Ramanujam IT Park, Taramani. The learned Counsel insisted that this petition should be dismissed.

25.I have carefully considered the arguments advanced and perused the material records.



WEB COPY

Issue No.1

26.The petitioner had filed the present Original Petition under Section 372 Indian Succession Act, r/w relevant provisions of the Original Side Rules of the Madras High Court seeking succession certificate relating to the benefits payable to P.Ponnudurai, who was working as Assistant Manager at Ramanujam IT City, TRIL Infopark Limited-SEZ, Taramani, Chennai.

27.The petitioner had sought the benefits on the strength of her assertion that she and P.Ponnudurai, had got married on 20.01.2016 in accordance with Hindu Marriage Act, 1955. She also claimed that subsequently, the marriage had been registered with the Registrar of Marriage at Sub Registrar Office, Sembiam. The petitioner had examined herself as PW-1 and had filed proof of affidavit. A copy of the marriage invitation card, dated 20.01.2016 had been filed as Ex-P1 and a copy of the marriage extract of the Hindu Marriage Register kept by the Marriage Registrar Officer, Sembiam, on 10.03.2016 had been filed as



WEB COPY

Ex-P2. The petitioner had also filed O.S.No.205 of 2018 before the Junior Civil Judge Court, at Sathyavedu, Andhra Pradesh, seeking partition and separate possession of the share of P.Ponnudurai in his ancestral properties. P.Ponndurai, died on 21.06.2017 by committing suicide. The computer generated death certificate was marked as Ex-P3. The petitioner had marked the legal heirship certificate as Ex-P4. This was issued by the jurisdictional Tahsildar. In the said legal heirship certificate, the names of the petitioner and the second respondent had been given. Claiming that as Class-I legal heir, in view of her status as widow of P.Ponnudurai, the present petition had been filed by also impleading the parents of P.Ponnudurai, as respondents, and seeking succession certificate for the benefits payable to P.Ponnudurai by his employer.

28.This petition had been resisted by the respondents/parents of P.Ponnudurai, who questioned the very marriage between the petitioner and P.Ponnudurai. They also stated that the petitioner was in the habit of marrying men, gaining advantage and deserting them. They even went to



WEB COPY

an extent by stating that the petitioner was a direct cause for their son to commit suicide.

29. The primary issue, which will have to be examined, is whether the petitioner had established the fact of marriage between herself and P.Ponnudurai. Ex.P1 is the copy of the marriage invitation and which has the names of the parents of the petitioner and also the respondents herein. The marriage had been celebrated in Siva Vishnu Temple, Perambur, Chennai and later, a reception was also stated to be held at Sri Venkateswara Thirumana Mahal, Veppampattu, outskirts of Chennai. Even if this document could be doubted, as it is only an invitation, Ex-P2, further substantiate that very fact. It is an extract of the Hindu Marriage Register kept by the Marriage Register Office at Sembiam. It must be mentioned that P.Ponnudurai was 28 years old at the time of marriage and he had been born on 14.07.1987. His address had been given. The names of his parents had been given. Their address had been given. The name of the petitioner had been given. She was aged 27 years. She was born on 19.03.1988. Her address had been given. The



WEB COPY

names of her parents and their address had been given. The place of marriage, namely, Siva Vishnu Temple had been given. The marriage date 20.01.2016 had also been given. Both the petitioner and P.Ponnudurai had signed the documents. The witnesses had also been stated. It is a extract of official record.

30. Section 114(e) of Indian Evidence Act, 1872 stipulates that presumption can be drawn that an official act would have been done in its normal and proper manner.

31. The respondents however claimed that the marriage itself was a sham affair. But it is to be noted that P.Ponnudurai, died on 21.06.2017, nearly 1½ years after the date of marriage. In that period of 1½ years, he had not protested about the marriage being sham or null and void for any reason. The respondents contended that the petitioner was a direct cause for the death of P.Ponnudurai, but this is not the forum, which can examine that particular fact.



WEB COPY

32. During the cross examination of RW-1, the first respondent, photographs of marriage between the petitioner and P.Ponnudurai, had been marked as Ex-P13, PW-14, Ex-P15, Ex-P16 and Ex-P17 and also the photographs of Sri Ragavendhrar Thiruman Mahal, with outer panthal, which gives the names of the petitioner and P.Ponnudurai. The marriage photos were further marked as Ex-P18, Ex-P19, Ex-P20 and Ex-P21. These documents were marked during the cross examination of RW-2. The respondents however rely on Ex-P18, which is a letter addressed by the first respondent to the President/Secretary, Siva Vishnu Temple, but it is seen that the certificate had also been issued by the Temple that the marriage had actually taken place and another certificate was also enclosed, which has included the photos of both the petitioner and P.Ponnudurai.

33. These documents very clearly established that the petitioner herein had married P.Ponnudurai. The petitioner had established this fact to the satisfaction of this Court and since that fact is established, it has to



WEB COPY

be held that on the date of death of P.Ponndurai, the petitioner, as his wife, was entitled to be recognised as Class-I legal heir. Naturally, this would also entitle her to a share in the benefits payable to P.Ponnudurai. She would have to share that benefit with the second respondent/mother of P.Ponnudurai.

34.In view of the above reasoning, I would hold with respect to issue No.1, that the petitioner had produced sufficient evidence to prove that she had married P.Ponnudurai and with respect to issue No.2 that the contention of the respondents that there was no lawful marriage will have to be rejected.

Issue Nos.3 and 4:-

35.The main contention of the respondents is that the petitioner stood disentitled to seek the benefits payable to P.Ponnudurai, because she had remarried again. This fact cannot be denied by the petitioner. Documents in this regard had been produced. They had been marked



WEB COPY

during cross examination of PW-1, the petitioner herein. Ex-R1 was the marriage invitation by the petitioner with S.Pradeep and the date of the marriage was 02.12.2019. Ex-R2 is the payment made for that marriage to Saritha Mahal. The date of receipt was 03.11.2019. Ex-R4, R5 and R6 are photographs and CDs relating to the marriage ceremony. Ex-R10, is the loan obtained by P.Ponnudurai from City Bank and HDFC Bank and Ex-R11 is the transfer of the amount to the petitioner. Ex-R12 is the amount transfer from P.Ponnudurai's accounts after his death.

36.These documents, particularly, the marriage invitation and the photographs establish that the petitioner had remarried nearly 2½ years after the death of P.Ponnudurai. There is no law which prohibits a widow from remarrying. It was not done in secrecy, as it is evident from the photographs. The only issue, which is raised, is that owing to such remarriage, the petitioner stands disqualified from receiving the benefit payable to P.Ponnudurai.

37.The learned Counsel for respondents had placed reliance on a



WEB COPY

judgment of the Honourable Supreme Court reported in **(2020) 2 SCC 139**, in the case of ***Velamuri Venkata Sivaprasad (Dead) by Lrs vs Kothuri Venkateswaralu (Dead) by LRs and others***, wherein, the Honourable Supreme Court had placed reference on a judgment of the Madras High Court reported in ***AIR 1951 Mad 95 [Ramaiya Konar vs Mottayya Mudaliar]*** and observed that it is a well settled rule of Hindu Law that unchastity disqualifies a widow from succession to her husband's estate. However, it must be kept in mind that this judgment examined the provisions of Section 14(1) of Hindu Succession Act, 1956 and whether it was prospective or retrospective in nature and observations were made based on the Widows Remarriage Act, 1856, which had been repealed by Act 24 of 1983 and the Madras Hindu (Bigamy Prevention and Divorce) Act, 1959. These statutes no longer prevail. Reliance placed on which this judgment is misconceived.

38.The learned Counsel also placed reliance on the judgment of Bombay High Court, reported in ***AIR 1954 Bombay 315, [Rama Appea Patil and others vs Sakhu Dattu Gharal]*** wherein, on examination of the



WEB COPY

provisions of the Hindu Widows Remarriage Act, 1856, it was held that by remarriage a Hindu widow would stand to forfeiture of the estate inherited by her from her husband or as a widow in the family of her husband. It must be stated that again this enactment no longer survives and has been subsequently repealed and is not applicable to the facts of this case.

39.In **1976 (4) SCC 674, [Kasturi Devi vs Deputy Director of Consolidation and others]**, the Honourable Supreme Court very categorically held that under Section 6 of the Hindu Succession Act, 1856, a Class-I heir, namely, a mother cannot be divested of her interest in her son's property either on the ground of in chastity or remarriage.

40.In **2021 SCC Online Bombay 13718, [Jaiwantabai vs Sunanda and another]** the substantial question in the Section Appeal was whether a widow can claim the estate of the husband after remarriage. The Bombay High Court had held that if the widow had not remarried, when the succession opens, the disqualification under Section



24 of the Act, 1956 will not be applicable. Additionally, in this case, it must be stated that Section 24 of Act 1956, had been omitted with effect from 09.09.2005 and therefore, the petitioner herein cannot be categorised as being disqualified.

41. In **2020 (3) MWN (Civil) 820, [Yamuna Dhevi vs D.Nalini]**, a learned Single Judge of this Court had very specifically held that under Section 372 of the Indian Succession Act, 1925, a subsequent remarriage will not disqualify the widow from succeeding to the estate of her deceased husband. It had been held in paragraph 25, as follows:

“25. If it is once held that the respondent is the wife of the late Paranthaman and her subsequent remarriage will not disqualify her from succeeding to the estate of her late husband, then she is entitled to succeed to half the share of the deceased Paranthaman. It is not necessary to drive parties to some other forum because the necessary parties are before this Court in both the Original Petitions. As held by the Supreme Court in [Vidhyadhari and others v. Sukhrana Bai and Others](#) ((2008) 2 SCC 238), this Court can itself declare the rights of the parties with the proportionate share to each of them so as to succeed to the estate of Late Paranthaman.

42. With respect to a claim petition for getting compensation owing to motor accident, when the issue that the widow had remarried and



WEB COPY

therefore, was disentitled for any share in the compensation, came up for consideration before a learned Single Judge of Bombay High Court in ***First Appeal No.111 of 2019, [The Iffco Tokio General Insurance Company Limited vs Bhagyashri Ganesh Gaikward and others]***, the learned Single Judge of Bombay High court held as follows:

“10. In respect of, issue of remarriage of Claimant No.1, in my view, it appears from record that at the time of death of her husband, she was 19 years old. Thereafter, she filed a Claim Petition for getting compensation, during pendency of the Claim petition she re-married. One cannot expect that for getting compensation of deceased husband, the widow has to remain widow for life time or till getting compensation. Considering her age, and at the time of accident, she was wife of deceased, is sufficient ground that she is entitled for the compensation. Moreover after death of husband remarriage can not be a taboo to get a compensation.”

43.The learned Counsel for the respondents had relied on a judgment of Honourable Supreme Court reported in ***(2011) 12 SCC 588 [Inderjit Singh Grewal and Sate of Punjab and another]*** on the issue of fraud and placed specific reliance on paragraph 17, which is as follows:

“17.It is a settled legal proposition that where a person gets an order/office by making misrepresentation or playing fraud upon the competent authority, such order cannot be sustained in the eye of the law as fraud unravels everything. “Equity is always known to defend the law from crafty evasions and new subtleties invented to evade law.” It is trite that “fraud and justice never dwell together”



WEB COPY



(fraus et jus nunquam cohabitant). Fraud is an act of deliberate deception with a design to secure something, which is otherwise not due. Fraud and deception are synonymous. "Fraud is anathema to all equitable principles and any affair tainted with fraud cannot be perpetuated or saved by the application of any equitable doctrine." An act of fraud on court is always viewed seriously. (Vide Meghmala v. G. Narasimha Reddy [(2010) 8 SCC 383 : (2010) 3 SCC (Cri) 878 : (2010) 3 SCC (Civ) 368] , SCC pp. 395-96, para 34.)"

44. In the instant case, the fact that the petitioner had married the son of the respondents had been established. She is therefore a Class-I heir on the death of her husband. The marriage had been established by documentary and oral evidence. The fact that she had remarried cannot and should not disqualify her from inheriting the estate of her late husband. The judgments are clear on this aspect. There has been no fraud played.

45. In view of these facts, I would hold with respect to issue No.3, that the contention of the respondents that the remarriage would disentitle the petitioner for grant the relief has to be rejected and with respect to issue No.4, that the petitioner is entitled for succession certificate as sought by her in the petition.



WEB COPY

Issue No.5:-

46.The second respondent is the mother of the deceased P.Ponnudurai. She is a Class-I legal heir. She is therefore, entitled for succession certificate. No discussion is required on this aspect. The issue is answered accordingly.

Issue No.6:-

47.In the result, it is held that the petitioner and the second respondent are both jointly entitled to an equal share in the benefits of P.Ponnudurai. A succession certificate may therefore be issued to the petitioner to receive one half of the benefits payable to P.Ponnudurai and it is held that the second respondent is entitled for the other one half.

48.In the result,

(1) the Original Petition is allowed. It is held that the petitioner and the second respondent are both equally entitled for the benefits of P.Ponnudurai, who died intestate on 21.06.2017, particularly, his benefits



WEB COPY

from his employer, Ramanujam IT City, TRIL Infopark Limited-SEZ,
Taramani, Chennai.

(2) The petitioner is to be issued succession certificate accordingly.

(3) No order as to costs.

Index : Yes / No
Internet : Yes
NCC : Yes/No
cmr

27.04.2023



List of witness on the side of the Petitioner:-

PW-1 – S.Saranya (petitioner)

List of witness on the side of the Respondent:-

RW-1- B.Ponnusamy (first respondent)

RW-2- G.Perumal

List of exhibits marked on the side of the petitioner:-

- Ex-P1 Copy of the marriage invitation, dated 20.01.2016,
- Ex-P2 Copy of the marriage registration certificate, dated 10.03.2016
- Ex-P3 The computer generated death certificate of P.Ponnusamy, dated 30.04.2018
- Ex-P4 Legal heir certificate of Ponnudurai, dated 10.05.2018
- Ex-P5 Copy of the Aadhar Card of P.Ponnudurai,
- Ex-P6 Original legal notice sent by the petitioner
- Ex-P7 Original Reply notice sent by Citicorp Services India Private Limited, dated 28.03.2019
- Ex-P8 Original rejoinder sent by the petitioner
- Ex-P9 Original Reply notice sent by Citicorp Services India Private Limited, dated 24.04.2019
- Ex-P10 Letter issued by the Citicorp Services India Private Limited
- Ex-P11 Paper publication, dated 04.01.2020 in Thina Boomi,
- Ex-P12 Photograph and CD of the marriage between the petitioner and the deceased P.Ponnudurai



WEB COPY

- Ex-P13 Photographs of the marriage between the petitioner and the deceased P.Ponnudurai
- Ex-P14 Photographs of the marriage between the petitioner and the deceased P.Ponnudurai
- Ex-P15 Photographs of the marriage between the petitioner and the deceased P.Ponnudurai
- Ex-P16 Photographs of the marriage between the petitioner and the deceased P.Ponnudurai
- Ex-P17 Photographs of the marriage between the petitioner and the deceased P.Ponnudurai
- Ex-P18 Photographs of the marriage between the petitioner and the deceased P.Ponnudurai
- Ex-P19 Photographs of the marriage between the petitioner and the deceased P.Ponnudurai
- Ex-P20 Photographs and CD of the marriage between the petitioner and the deceased P.Ponnudurai
- Ex-21 Photographs of the marriage ceremony

List of exhibits marked on the side of the respondents:-

- Ex-R1 Marriage invitation of the petitioner with another individual, S.Pradeep.
- Ex-R2 Copy of advance receipt paid to Kalyana Mandapam.
- Ex-R3 Copy of bill



WEB COPY

- Ex-R4 Photograph and CD of marriage ceremony between the petitioner and S.Pradeep
- Ex-R5 Photograph of marriage ceremony between the petitioner and S.Pradeep
- Ex-R6 Photograph of marriage ceremony between the petitioner and S.Pradeep
- Ex-R7 The copy of FIR.
- Ex-R8 The details of call logs
- Ex-R9 The details of call logs
- Ex-R10 The statement of accounts of City Bank
- Ex-R11 The statement of accounts of City Union Bank
- Ex-R12 The statement of accounts of City Bank
- Ex-R13 The affidavit filed in W.P.No.35527 of 2019
- Ex-R14 The is an affidavit file in W.P.No.6743 of 2020
- Ex-R15 Copy of the plaint in the suit filed by the petitioner before the District Munsif Court, Sathyavedu.
- Ex-R16 Affidavit of the first respondent in the said suit.
- Ex-R17 The family member certificate issued by the Government of Andhra Pradesh
- Ex-R18 The application filed by the first respondent to the temple.



WEB COPY



C.V.KARTHIKEYAN, J.

cmr

Pre Deliver order made in
O.P.No.598 of 2019

27.04.2023