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A.No.3872 of 2023 in
OP.No.147 of 2023

R.N.MANJULA, J.

The application has been filed seeking permission to produce secondary evidence in view of the original death certificate of A. Piriavale, issued by the Consulate General of India, Toronto, Canada is being retained by the sister of the petitioner's husband. The petitioner has filed the original petition in O.P.No.147 of 2023 for appointing herself as the guardian for the minor children and she also sought permission to sell the minors' share in the petition mentioned property along with other reliefs.

2. The husband of the petitioner is no more, and the father of the petitioner's husband also died on 31.01.2022. However, the original death certificate was retained by the sisters of the petitioner's husband, who was also residing in Canada. However, during the course of the arguments, the learned counsel for the petitioner submitted that the petitioner managed to get a xerox copy of the death certificate through a common friend and she shall be permitted to mark the same.

R.N.MANJULA,
J.



jrs

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3. Considering the difficulties in getting the original death certificate and also taking into consideration of the petitioner's relationship with the minor children involved in this proceeding, I feel the permission to receive the secondary evidence for the above aspect to be permitted.

4. Application is allowed and the matter is ordered to be listed before the Master to proceed with the recording of the evidence in accordance with law on 10.08.2023.

02.08.2023

jrs

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