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O.P.No.13 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.06.2024

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

O.P. No. 13 of 2024

Timothy Jones
Rep. By Guardians
Mrs.Pamela Thomas and Mr.C.R.Thomas ... Petitioner

PRAYER: Original Petition filed under Section 372 of the Indian Succession Act read with Order XXV Rule 6 of the Original Side Rules to grant the petitioner in respect of the debts and securities with accrued interest and dividend of the deceased specified in the schedule hereto.

For Petitioner : Ms.Lita Srinivasan

ORDER

The petition has been filed taking advantage of Section 372 of the Indian Succession Act, seeking succession certificate relating to the debts and credits in the name of the mother of the petitioner, who died on 13.03.2018.

2. The petitioner is represented by his guardians namely the sister of his mother and husband of the said sister. This was necessitated since



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the petitioner is suffering from autism. The details of the credits had been given in the schedule to the petition.

3. After following due procedure, the petitioner was directed to tender evidence and accordingly, his guardian Pamela Thomas examined herself as P.W.1. She marked the death certificate and legal heirship certificate of the mother of the petitioner as Exs.P1 and P2. The documents relating to the credits have been marked as Exs.P6 – P21, P23, P24 and P25. The order appointing the guardians to the petitioner was marked as Ex.P22.

4. Taking into consideration the nature of evidence adduced and the documents produced, the Original Petition stands allowed. Registry to issue succession certificate in the name of the petitioner represented by the two guardians, Mrs. Pamela Thomas and Mr. C.R.Thomas.

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APPENDIX

Petitioner's witness:

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P.W.1 – Mrs.Pamela Thomas

Documents marked:

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Computer generated death certificate of Sheila Jones dated 13.03.2018.
Ex.P2	Computer generated legal heir certificate of Sheila Jones.
Ex.P3	Photocopy of the Aadhaar card of the petitioner (compared with the original).
Ex.P4	Photocopy of my Aadhaar card. (compared with the original).
Ex.P5	Photocopy of the Aadhaar card of C.R.Thomas (compared with the original).
Ex.P6	Photocopy of the bank pass book in Indian Overseas Bank bearing A/c.No.231901000001823 standing in the name of Ms.Sheila Jones, C.Jones Chelliah.
Ex.P7	Photocopy of the bank pass book in Indian Overseas Bank bearing A/c.No.231901000002223 standing in the name of Mr.Mothy Jones and Ms.Sheila Jones (compared with original).
Ex.P8	Photocopy of the Deposit receipt in Indian Overseas Bank dated 25.07.2014 standing in the name of Ms.Sheila Jones (compared with original).
Ex.P9	Photocopy of the Deposit Receipt dated 17.10.2014 standing in the name of Ms.Sheila Jones (compared with the original).
Ex.P10	Photocopy of the Deposit Receipt dated 06.11.2014 standing



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<i>Exhibits</i>	<i>Documents</i>
	in the name of Ms.Sheila Jones (compared with the original).
Ex.P11	Photocopy of the Post Office savings bank account bearing account no. 3150457564 standing in the name of Ms.Sheila Jones and C.Jones Chellilah at Choolaimedu Post Office (compared with original).
Ex.P12	photocopy of the Post Office savings bank account bearing account no.3232344287 standing in the name of Ms.Sheila Jones. (compared with original).
Ex.P13	photocopy of the Post Office savings bank account bearing account no.3627397966 standing in the name of Ms.Sheila Jones and C.Jones Chelliah at Choolaimedu Post Office. (compared with original).
Ex.P14	photocopy of the Post Office savings bank account bearing account no.3836826622 standing in the name of Ms.Sheila Jones. (compared with original).
Ex.P15	photocopy of the Post Office savings bank account bearing account no.3163644838 standing in the name of Ms.Sheila Jones and C.Jones Chelliah at Choolaimedu Post Office. (compared with original).
Ex.P16	photocopy of the Post Office savings bank account bearing account no.3343669293 standing in the name of Ms.Sheila Jones and C.Jones Chelliah at Choolaimedu Post Office. (compared with original).
Ex.P17	photocopy of the Post Office savings bank account bearing



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<i>Exhibits</i>	<i>Documents</i>
	account no.3627369680 standing in the name of Ms.Sheila Jones and C.Jones Chelliah at Choolaimedu Post Office. (compared with original).
Ex.P18	photocopy of the Post Office savings bank account bearing account no.3709969654 standing in the name of Ms.Sheila Jones and C.Jones Chelliah at Choolaimedu Post Office. (compared with original).
Ex.P19	photocopy of the Post Office savings bank account bearing account no.3875834664 standing in the name of Ms.Sheila Jones and C.Jones Chelliah at Choolaimedu Post Office. (compared with original).
Ex.P20	(series 10 nos) are the photocopies of the Post Office National savings certificate standing in the name of Ms.Sheila Jones and C.Jones Chelliah at Choolaimedu Post Office. (compared with original).
Ex.P21	(series 2 nos) are the photocopies of the statement of account for the period 01.11.2017 to 30.11.2017 and for the period 01.01.2018 to 31.01.2018 in respect of shares and securities held by Ms.Sheila Jones and C.Jones Chelliah (compared with original).
Ex.P22	Photocopy of the certificate of appointment of guardian issued to me and C.R.Thomas in favour of the petitioner issued by National Trust, Ministry of Social Justice & Empowerment, Government of India on 18.06.2014



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<i>Exhibits</i>	<i>Documents</i>
	(compared with original).
Ex.P23	Photocopy of the Demand Draft dated 10.09.2012 bearing no.182373 in Indian Overseas Bank (compared with original).
Ex.P24	Photocopy of the Demand Draft dated 10.09.2012 bearing no.182374 in Indian Overseas Bank (compared with original).
Ex.P25	Photocopy of the pass book of Locker rent, Indian Overseas bank bearing A/c.No.231901000001823 standing in the name of Ms.Sheila Jones and Jones Chelliah. (witness states that she is having the photocopy only).

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C.V.KARTHIKEYAN,J.

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