



WEB COPY



O.P.No.14 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. 14 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 father of the petitioner, who died on 13.03.2018.

2. The petitioner is represented by his guardians namely the sister



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of his mother and husband of the said sister. This was necessitated since 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 father of the petitioner as Exs.P1 and P2. The documents relating to the credits have been marked as Exs.P6 – P15. The order appointing the guardians to the petitioner was marked as Ex.P16.

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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Index :Yes/No  
gsa

### **APPENDIX**

#### **Petitioner's witness:**

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P.W.1 – Mrs.Pamela Thomas

**Documents marked:**

| <b><i>Exhibits</i></b> | <b><i>Documents</i></b>                                                                                                                                                                      |
|------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Ex.P1                  | Computer generated death certificate of Jones Chelliah.                                                                                                                                      |
| Ex.P2                  | Computer generated legal heir certificate of Jones Chelliah.                                                                                                                                 |
| 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 Post Office savings bank account bearing A/c.No.3150457564 standing in the name of Mr.Mothy Jones and Ms.Sheila Jones at Choolaimedu Post Office. (compared with original). |
| Ex.P8                  | Photocopy of the Post Office savings bank account bearing A/c.No.3627397966 standing in the name of Mr.Mothy Jones and Ms.Sheila Jones at Choolaimedu Post Office. (compared with original). |
| Ex.P9                  | Photocopy of the Post Office savings bank account bearing A/c.No.3163644838 standing in the name of Ms.Sheila Jones and C.Jones Chelliah at Choolaimedu Post Office.                         |



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| <b><i>Exhibits</i></b> | <b><i>Documents</i></b>                                                                                                                                                                                |
|------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                        | (compared with original).                                                                                                                                                                              |
| Ex.P10                 | Photocopy of the Post Office savings bank account bearing A/c.No.3232307725 standing in the name of C. Jones Chelliah. (compared with original).                                                       |
| Ex.P11                 | Photocopy of the Post Office savings bank account bearing account no. 3343669293 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.3627369680 standing in the name of Ms.Sheila Jones and C.Jones Chelliah at Choolaimedu Post Office. (compared with original).     |
| Ex.P13                 | 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.P14                 | photocopy of the Post Office savings bank account bearing account no.3875834664 in the name of Ms.Sheila Jones and C.Jonesh Chelliah at Choolaimedu Post Office. (compared with original).             |
| Ex.P15                 | (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). |



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| <i><b>Exhibits</b></i> | <i><b>Documents</b></i>                                                                                                                                                                                                                         |
|------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Ex.P16                 | 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 (compared with original). |

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**C.V.KARTHIKEYAN,J.**

Gsa

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