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O.P.No.513 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **26.06.2025**

CORAM

THE HONOURABLE **MR.JUSTICE K.KUMARESH BABU**

O.P.No.513 of 2024

Renuka Parameswari

...Petitioner

VS.

M.Ettiyammal

...Respondent

PRAYER: Original Petition filed under Section 372 of the Indian Succession Act XXXIX of 1925 read with order XXV Rule 6 of O.S.Rules, praying to grant a succession certificate in favour of the petitioner herein with powers to collect the debts, and to receive the interest and dividends on and negotiate and transfer the securities specified in the schedule B hereunder payable to M.Elumalai (deceased).

For Petitioner : Mr.Ashok Menon

For Respondent : No appearance

ORDER

The petitioner seeks Succession Certificate in respect of the securities mentioned in Schedule 'B' of the petition held by Late Mr.M.Elumalai, who died intestate on 27.06.2023. The petitioner is the wife of the deceased and the respondent is the mother of the deceased. The petitioner submits she got married to one Mr.M.Elumalai, herein the

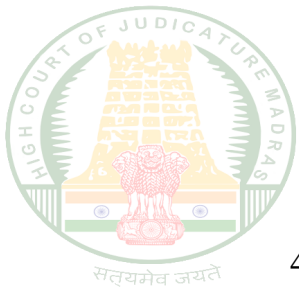


deceased but the couple had not begotten any issues in the duration of their marriage. The deceased died on 27.06.2023 leaving behind the petitioner and the respondent as his only legal heirs.

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2. The petitioner has been examined as PW1, she has produced 13 documents which are listed as Ex.P1 to Ex.P13 at the foot of the order. The computer generated death certificate of the deceased has been marked as Ex.P8. The photocopy of the voter ID card of the petitioner has been marked as Ex.P7. The original letter dated 24.05.2024 sent by office of Commissioner of Police, Greater Chennai Police, Vepery, Chennai- 600 007 has been marked as Ex.P9. From the perusal of Ex.P9 it can be substantiated that the petitioner is the wife of the deceased and hence she is entitled to the half of the debts and securities which is morefully described in the schedule 'B' of the petition. A paper publication has been effected which is marked as Ex.P11 and no objections have been received.

3. The registry has put note that the service of notice upon the sole respondent has been completed and the same has been verified and recorded *vide* order 16.12.2024. Inspite of the service upon the respondent being completed the respondent kept herself away from the proceedings.



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4. The assertions in the petition have been duly proved by adducing oral evidence supported by documents. In these circumstances, the petitioner is entitled to the relief.

5. In view of the above evidence, the Original Petition is allowed granting Succession Certificate in favour of the petitioner, with the power to collect the debts and securities and to receive the interest and dividends on and negotiate and transfer the securities mentioned in the Schedule 'B' to the petition.

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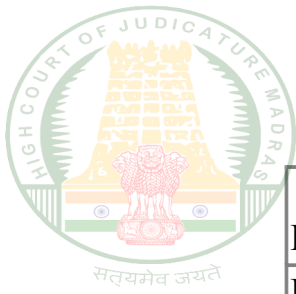
msv
Index :Yes/No

Petitioner's witness:

P.W.1 – Mrs.V.Renuka Parameswari

Documents exhibited by the petitioner:

Exhibits	Documents
Ex.P1	Photocopy of the Aadhar Card of Mr.Elumalai (Compared with the original)
Ex.P2	Photocopy of the Voter ID card of Mr.Ezhumalai (Compared with the original)



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Ex.P3	Computer generated payslip for the month of February 2019 of Mr.Elumalai.M
Ex.P4	Computer generated payslip for the month of June 2019 of Mr.Elumalai.M
Ex.P5	Photocopy of the ID card of Mr.Elumalai.M issued by Assistant Commissioner of Police -I, Armed Reserve, Chennai 600 002 (Compared with the original)
Ex.P6	Photocopy of PW1 Aadhar Card (Compared with the original)
Ex.P7	Photocopy of PW1 Voter ID Card (Compared with the original)
Ex.P8	Computer generated death certificate of Mr.Elumalai.M
Ex.P9	Original letter dated 24.05.2024 sent by Office of the Commissioner of Police, Greater Chennai Police, Vepery, Chennai 600 007 addressed to me asking me to obtain succession certificate along with envelope.
Ex.P10	Certificate under Section 65 B of the Indian Evidence Act, 1872.
Ex.P11	Copy of Paper publication effected in one issue of Tamil daily "Makkal Kural" dated 07.11.2024.
Ex.P12	Original death certificate of Mr.M.Elumalai issued by PCR Shree Varma Ayurveda Hospitals.
Ex.P13	Original letter dated 06.11.2023 sent by the employer of the deceased directing me to obtain a necessary certificate from the Court.

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