



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **09.04.2025**

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

O.P.No.704 of 2024

- 1.Mrs.Alice Pappammal
- 2.Mrs.Joyce Jeyarani Asirvatham
- 3.Mr.Sundar Kingsley.V.
- 4.Mr.Livingstone Jothikumar Nallathambi
- 5.Mrs.Benita Samuel
- 6.Mrs.Edna Elizabeth.N
- 7.Mrs.Kasthuri Bai
- 8.Mrs.Anita Kamalabai
- 9.Mr.Stanley Jothi Raj
- 10.Mrs.Stela Pauline Punitha
- 11.Mr.Lawrence Swami Doss

...Petitioners

PRAYER: Original Petition filed under Section 372 of the Indian Succession Act 1925 read with Order XXV Rule 6 of O.S.Rules, prays that a Succession Certificate may be granted to Mr.Lawrence Swami Doss 11th petitioner with power to collect the debts/securities and to receive the interest and dividends on and negotiate and transfer the securities/debts specified in the schedule hereto.

For Petitioners : Mr.R.D.Ashok

**ORDER**

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The petitioners seek Succession Certificate in respect of the securities held by Late.N.Paranjothi Muthiah @ N.P.Muthiah, who died intestate on 06.10.1970. The 1st petitioner is daughter of the testator, the 2nd and 3rd petitioners are the legal heirs of Late.Mrs.D.Victor who is the deceased daughter, the 4th, 5th and 6th petitioners are the legal heirs of Late.Mr.Edwin Nallathambi the deceased son, the 7th, 8th, 9th, 10th and 11th petitioners are the legal heirs of the Late.Mr.John Vicent who is the another deceased son. The deceased's wife Late.Mrs.Paripooranam Muthiah died on 24.03.1993 and another daughter Late.Ms.May Kamalabai Victoria died as a spinster on 30.08.1994.

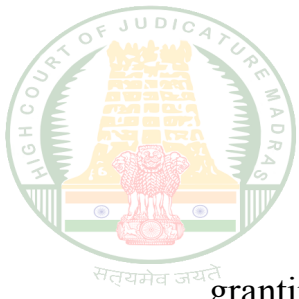
2. The 11th petitioner has been examined as PW1. He has produced the photocopies of the death certificates of the wife of the Late.Mrs.Paripooranam, Late.Mrs.D.Victor the daughter, Late.Ms.May Kamala Bai Victoria the another daughter, Late.Mr.Edwin Nallathambi the son, Late.Mr.John Vincent the another son as Ex.P1, Ex.P4, Ex.P5, Ex.P7,



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Ex.P8 and Ex.P11 respectively. The legal heirship certificates of the following, Late.Mrs.D.Victor, Late.Mr.Edwin Nallathambi and Late.Mr.John Vincent are marked as the following Ex.P3, Ex.P6, Ex.P9 and Ex.P12. Ex.P3 shows that the 1st petitioner is the only surviving daughter; Ex.P6 shows that the 2nd and 3rd petitioners are the only surviving legal heirs of the Late.Mrs.D.Victor who is the daughter of the deceased; Ex.P9 shows that the 4th, 5th and 6th petitioners are the only surviving legal heirs of Late.Mr.Edwin Nallathambi who is the son of the deceased and the Ex.P12 shows that the 7th, 8th, 9th, 10th and 11th petitioners are the only surviving legal heirs of Late.Mr.John Vincent who is the another son of the deceased. The general paper publication has been made and no objections have been received for the same.

3. The assertions in the petition have been duly proved by adducing oral evidence supported by documents. In these circumstances, the 11th petitioner is entitled to the relief.



4. In view of the above evidence, the Original Petition is allowed granting Succession Certificate in favour of the 11th petitioner, with the power to collect the securities and receive the interest and dividends on and negotiate and transfer the securities mentioned in the schedule to the petition.

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Index :Yes/No

Petitioner's witness:

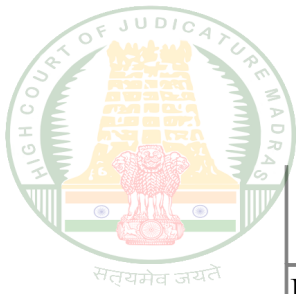
P.W.1 – Mr.J.Lawrence Swami Doss

Documents exhibited by the petitioners:

Exhibits	Documents
Ex.P1	Photocopy of the Death certificate of N.Paranjothi dated 06.10.1970. (original produced compared and returned)
Ex.P2	Photocopy of the Name Co-Relation Certificate issued by Revenue Inspector, Poolam dated 13.10.1981.(Original produced compared and returned)
Ex.P3	Photocopy of the Legal heir certificate No.TN-720240213919 of Late N.Paranjothi Muthiah dated 02.03.2024 (Computerized copy produced compared and returned)
Ex.P4	Photocopy of the Death certificate of Mrs.Paripooranam Muthiah dated 04.08.1993 (original produced compared



	and returned)
Ex.P5	Photocopy of the Death Certificate of Mr.D.Victor dated 05.06.2009.(original produced compared and returned)
Ex.P6	Photocopy of the Legal heir certificate No.TN-7202403271452 of late Mrs.D.Victor dated 06.05.2024.(computerized copy produced compared and returned)
Ex.P7	Photocopy of the Death Certificate of Ms.May Kamal Bai Victoria dated 28.04.2024(original produced compared and returned)
Ex.P8	Photocopy of the death certificate of Edwin Nallathambi dated 18.11.2020(original produced compared and returned)
Ex.P9	Photocopy of the Legal Heir Certificate No.TN-7202107012857 of Edwin Nallathambi dated 07.07.2021 (Computerized copy produced compared and returned)
Ex.P10	Photocopy of the Death certificate of Glory P.Nallathambi dated 10.04.2023.(original produced compared and returned)
Ex.P11	Photocopy of Death certificate of John Vincent dated 08.06.2020.
Ex.P12	Photocopy of Legal Heir Certificate No.TN-720200609779 of John Vincent dated 14.07.2020 (Computerized copy produced compared and returned)
Ex.P13	Photocopy of Share certificate No.559 of Tamil Nadu Mercantile Bank Ltd., dated 08.09.1922 (Original produced, compared and returned)
Ex.P14	Photocopy of Share certificate No.735 of Tamil Nadu Mercantile Bank Ltd., dated 01.09.1924 (original produced compared and returned)
Ex.P15	Photocopy of Letter issued by Tamil Nadu Mercantile Bank Ltd dated 19.05.2021.
Ex.P16	Photocopy of Letter issued by Tamil Nadu Mercantile Bank



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	Ltd., dated 15.03.2024. (Original produced compared and returned)
Ex.P17	Photocopy of Letter issued by Link Intime India Pvt Ltd dated 08.04.2024.
Ex.P18	Downloaded copy of E-mail from Tamil Nadu Mercantile Bank dated 12.09.2024.

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