



**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED: 10-03-2026**

**CORAM**

**THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI**

**C.R.P.(PD) No.5857 of 2025  
and C.M.P.No.28994 of 2025**

WEB COPY

V.Vidya  
D/o. Krishnasamy Iyer,  
No.11, Thangavel Street,  
Gokulam Apartments,  
T.Nagar, Chennai – 600 017.

..Petitioner

Vs.

1. M.V.Prakash  
S/o.Vadivel,  
No.18, Rotler Street,  
Doweton, Choolai,  
Chennai – 600 112.

(Address as stated below in the complaint)  
No.8, G-2, Sudhar Home, 14<sup>th</sup> Street,  
Venkatapuram, Ambattur, Chennai – 600 053.

S.Shivakumar (Deceased)

2. The Deputy Commissioner of Police,  
Kolathur Police District, Chennai.

..Respondents

This Civil Revision Petition has been filed under Article 227 of the Constitution of India praying to set aside the order passed in I.A.No.9 of 2025 in O.S.No.4505 of 2019 on the file of XVII Additional City Civil Court dated 23.09.2025.

|                    |   |                                      |
|--------------------|---|--------------------------------------|
| For Petitioner     | : | Ms.V.Vidya (Party-in-person)         |
| For Respondent – 1 | : | Vacated                              |
| For Respondent – 2 | : | Mr.C.Sathish,<br>Government Advocate |



## **ORDER**

WEB COPY

This Civil Revision Petition has been filed by the Petitioner seeking to set aside the Order dated 23.09.2025 in I.A.No.9 of 2025 in O.S.No.4505 of 2019 passed by the learned XVII Additional Judge, City Civil Court, Chennai.

2. The brief facts of the case are that Mr.M.V.Prakash (1<sup>st</sup> Respondent) and one Mr.S.Shivakumar had lodged a police complaint against the Petitioner herein. Based on their complaint, the Inspector of Police, Ambattur Police Station, Chennai had registered a criminal case in Crime No.804 of 2009 under Sections 406, 420 & 506(ii) of IPC against the Petitioner, pursuant to which, Petitioner was arrested and remanded to judicial custody. Further, after the completion of investigation, the Investigation Officer had filed a Charge Sheet in C.C.No.101 of 2010 before the Judicial Magistrate Court, Ambattur, but, this Court vide Order dated 24.02.2014 in CrI.O.P.No.18452 of 2010, quashed the case in C.C.No.101 of 2010 on the file of Judicial Magistrate Court, Ambattur. The said order was also confirmed by the Hon'ble Supreme Court vide Order dated 03.02.2017 in S.L.P.No.1057 of 2014.

3. Subsequently, Petitioner had filed a civil suit in C.S.No.164 of 2018 before this Court praying to direct Mr.M.V.Prakash (1<sup>st</sup> Respondent) and Mr.S.Shivakumar to pay her a sum of Rs.1 Crore as damages for launching



malicious prosecution against her. However, the said suit was transferred to XVII Additional City Civil Court, Chennai and renumbered as O.S.No.4505 of 2019. During the pendency of O.S.No.4505 of 2019, the said Shivakumar had died on 31.08.2024. After his demise, Petitioner had obtained the death certificate of said Shivakumar, but, she could not obtain the legal heir certificate of deceased Shivakumar.

4. The deceased Shivakumar was working as an Assistant Commissioner of Police under the Deputy Commissioner of Police, Kolathur Police District, Chennai (2<sup>nd</sup> Respondent). The service records, death certificate and legal heir certificate of deceased Shivakumar are in the custody of 2<sup>nd</sup> Respondent.

5. The Petitioner needed the legal heir certificate of deceased Shivakumar to proceed with the suit in O.S.No.4505 of 2019 against the legal heirs of the deceased Shivakumar. Therefore, she had filed an Interlocutory Application in I.A.No.9 of 2025 in O.S.No.4505 of 2019 before the XVII Additional City Civil Court, Chennai praying to direct the 2<sup>nd</sup> Respondent to produce the legal heir certificate of Mr.Shivakumar who died on 31.08.2024. However, the said Interlocutory Application was dismissed by the Court below vide Order dated 23.09.2025. Aggrieved by the same, Petitioner has filed the present Civil Revision Petition.



6. Today, when this Civil Revision Petition was taken up for hearing, the Petitioner appeared as a party-in-person before this Court. When this Court enquired the Petitioner, she reiterated the averments in the affidavit filed in support of this petition and prayed that the impugned order may be set aside.

7. The learned Government Advocate appearing on behalf of 2<sup>nd</sup> Respondent submitted that the service records, death certificate and legal heir certificate of the deceased Shivakumar are not in the custody of 2<sup>nd</sup> Respondent. He further submitted that the learned XVII Additional Judge, City Civil Court, Chennai has rightly dismissed I.A.No.9 of 2025 by holding that the Petitioner has failed to establish that the service records, death certificate and legal heir certificate of the deceased Shivakumar are in the custody of 2<sup>nd</sup> Respondent and there is no merit in I.A.No.9 of 2025. Therefore, learned Government Advocate submitted that the impugned order does not warrant any interference.

8. Heard the Petitioner who appeared as a party-in-person and the learned Government Advocate appeared on behalf of 2<sup>nd</sup> Respondent.

9. In the present case, Mr.M.V.Prakash (1<sup>st</sup> Respondent) and one Mr.S.Shivakumar had launched a malicious prosecution against the Petitioner. Therefore, Petitioner filed a civil suit before this Court praying to direct



Mr.M.V.Prakash (1<sup>st</sup> Respondent) and Mr.S.Shivakumar to pay her a sum of Rs.1 Crore as damages for launching malicious prosecution against her. The said suit was transferred to XVII Additional City Civil Court, Chennai and renumbered as O.S.No.4505 of 2019. During the pendency of O.S.No.4505 of 2019, the said Shivakumar had died on 31.08.2024. After his demise, in order to proceed with the suit in O.S.No.4505 of 2019 against the legal heirs of the deceased Shivakumar, Petitioner needed the legal heir certificate of deceased Shivakumar. Hence, she filed I.A.No.9 of 2025 in O.S.No.4505 of 2019 before the XVII Additional City Civil Court, Chennai praying to direct the 2<sup>nd</sup> Respondent to produce the legal heir certificate of the Mr.Shivakumar who died on 31.08.2024. However, the said application was dismissed on 23.09.2025. Hence, the present Civil Revision Petition.

10. According to the Petitioner, while the deceased Shivakumar was working as an Assistant Commissioner of Police at Kolathur Police District, Chennai, 2<sup>nd</sup> Respondent was the Supervisory Authority to deceased Shivakumar and 2<sup>nd</sup> Respondent possess the service records, death certificate and legal heir certificate of deceased Shivakumar.

11. However, it is the contention of the learned counsel for 2<sup>nd</sup> Respondent that the service records, death certificate and legal heir certificate of deceased Shivakumar are not in the custody of 2<sup>nd</sup> Respondent.



12. As far as this case is concerned, the deceased Shivakumar has been arrayed as one of the parties and the Petitioner has not adduced any proof to establish that the service records, death certificate and legal heir certificate of the deceased Shivakumar are in the custody of 2<sup>nd</sup> Respondent.

13. There is no merit in the Petitioner's case. Therefore, I am not inclined to allow this Civil Revision Petition.

14. For the foregoing reasons, this Civil Revision Petition is dismissed as devoid of merits and the Order dated 23.09.2025 in I.A.No.9 of 2025 in O.S.No.4505 of 2019 passed by the learned XVII Additional Judge, City Civil Court, Chennai is confirmed. No costs. Consequently, connected Miscellaneous Petition is closed.

**10-03-2026**

Index: Yes/No  
Speaking/Non-speaking order  
mrr

To

- 1.The XVII Additional Judge,  
City Civil Court, Chennai.
- 2.The Deputy Commissioner of Police,  
Kolathur Police District,  
Chennai.



WEB COPY

C.R.P (PD) No.5857 of 2



**T.V.THAMILSELVI, J.**

mrr

C.R.P.(PD) No.5857 of 2025

10-03-2026