



O.P.No.327 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.12.2022

CORAM

THE HONOURABLE **MR.JUSTICE SENTHILKUMAR RAMAMOORTHY**

O.P.No.327 of 2022

C.B.Tamilselvi

... Petitioner

PRAYER: Original Petition filed under Section 372 of Indian Succession Act in respect of securities belonging to the deceased G.Pradeepkumar (Act No.XXXIX of 1925) Read With Order XXV Rule 6 of O.S.Rules, that the Succession Certificate may be granted to the petitioner with power to collect the securities and to receive the interest and dividends on and negotiate and transfer the securities specified in the schedule.

For Petitioner : Mr.K.Ramanamoorthy



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ORDER

The petitioner seeks issuance of a succession certificate in relation to the securities described in the schedule to the petition.

2. The petitioner is the wife of the late G.Pradeep Kumar who passed away on 24.05.2021. The petitioner asserts that the deceased ordinarily resided at the address specified in paragraph 3 of the petition, which is within the jurisdiction of this Court. It is further asserted that the deceased died intestate and that no Will was found in spite of due and diligent search for the same. The petitioner further states that the mother of the deceased pre-deceased him and that the petitioner and the deceased did not have children.

3. In order to establish entitlement to the relief claimed, the petitioner adduced evidence by examining herself as P.W.1. In course of the examination in chief of P.W.1, the 6 documents listed at the foot of this



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order were exhibited as Exs.P1 to P6. The death certificate of the late G.Pradeep Kumar discloses that he died on 24.05.2021. The said certificate also discloses his place of residence, which is within the jurisdiction of this Court. The legal heirship certificate in respect of G.Pradeep Kumar discloses the name of the petitioner as his wife / widow. It also discloses the name of the mother of the deceased and indicates that she pre-deceased him. The death certificate of the mother of the deceased is on record (Ex.P4). This document discloses that she died on 18.12.2017. The securities in respect of which the present petition is filed are evidenced by the statement of holdings issued by HDFC Bank Limited (Ex.P3). The paper publication effected in the Tamil daily MAKKAL KURAL is exhibited as Ex.P6.

4. Based on the assertions in the petition and the evidence recorded in support thereof, the petitioner is entitled to succeed.

5. Accordingly, O.P.No.327 of 2022 is allowed by granting the succession certificate to the petitioner in respect of the securities specified



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in the schedule to the petition with the power to collect the securities, receive dividends and interest thereon and negotiate and transfer the same.

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Index : Yes / No

Internet : Yes / No

Petitioner's witness:

P.W.1 - Mrs.C.B.Tamilselvi.

Documents exhibited by the petitioners:

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Computer generated death certificate of Mr.G.Pradeep Kumar.
Ex.P2	Computer generated Legal Heirship certificate of Mr.G.Pradeed Kumar.
Ex.P3	Photocopy of the statement of holding as on 04.09.2021 issued by the Branch Operations Manager, ITC Centre, HDFC Bank Limited. (Compared with the original)
Ex.P4	Computer generated death certificate of B.Darika Kumari.
Ex.P5	Photocopy of my Aadhaar card. (Compared with the original)
Ex.P6	Copy of paper publication effected in one issued of Tamil daily "Makkal Kural" dated 02.08.2022.



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