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O.P.No.318 of 2023

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N.SATHISH KUMAR, J.

This Petition has been filed under Section 372 of the Indian Succession Act read with Order XXV Rule 6 of the Madras High Court Original Side Rules, to grant succession certificate in favour of the fifth petitioner.

2.Heard the learned counsel for the petitioners.

3. First petitioner is the husband, petitioners 2 to 4 are the daughters and 5th petitioner is the son of Nayanaben Shantilal. The deceased left the assets shown in the schedule and hence the petitioners seek for issuance of succession certificate issued in favour of fifth petitioner with power to collect the debts, to receive the interest and dividends and negotiate and transfer the securities as specified in the schedules I and II.



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4. The first petitioner was examined himself as P.W.1 and marked Exs.P1 to P.7.

5. P.W.1 in his evidence had narrated the averments made in the petition stating that the petitioners have filed this petition for grant of Succession Certificate in favour of the fifth petitioner. Ex.P.1 is the copy of the death certificate of the deceased Nayanaben Shantilal. Ex.P.1 has been filed to prove that the deceased intestate died on 29.01.2022. Ex.P.2 is the holding valuation statement of Kotak Securities Limited for the shares standing in the name of deceased Nayanaben Shantilal. Exs.P3 to P6 are the consent affidavits filed by petitioners 1 to 4 stating no objection for grant of Succession Certificate in favour of the fifth petitioner. As per Ex.P7, paper publication has also been taken out and none has objected for it.

6. Considering the averments made in the petition and the documents filed by the petitioners, I am satisfied that the petitioners have succeeded the Estate of the deceased Nayanaben Shantilal. Therefore, the petition is ordered as prayed for and a direction for grant of Succession Certificate in



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favour of the fifth petitioner with power to collect the debts and to receive the interest and dividends and negotiate and transfer the securities specified in the schedule, is issued.

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