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O.P.No.256 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.04.2023

CORAM

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

O.P.No.256 of 2022

M.R.Gokul Krishnan

... Petitioner

Vs

1.R.Mallika

2.R.Nagalakshmi

... Respondents

PRAYER: Original Petition filed for Succession Certificate under Section 372 of Indian Succession Act, 1925 under Order XXV Rule 6 of Original Side Rules, prays that a Succession Certificate may be granted in favour of the Petitioner with power to collect the securities and to receive the interest and dividends on/ and negotiate and transfer the securities as specified in the schedule annexed hereto.

For Petitioner : Mr.K.Sukumaran

For Respondents : No appearance

ORDER

The petitioner seek Succession Certificate in respect of the securities held by K.Rajasekaran, who died intestate on 30.01.2021. The petitioner is the son, the first respondent is the wife and the second respondent is the daughter of the deceased K.Rajasekaran.



O.P.No.256 of 2022

2. The petitioner has been examined as P.W.1. He has produced the death certificate of the deceased K.Rajasekaran, as Ex.P1, and the legal heirship certificate of the deceased as Ex.P2. A perusal of Ex.P2 shows that the petitioner and the respondents are the only legal heirs of the deceased. The respondents have given their consent affidavits expressing their no objection for the grant of succession certificate, their consent affidavits is marked as Exs. P6 and P7. A paper publication has been made and any objections have not been received.

3. In view of the above said evidence, the Original Petition is allowed by granting Succession Certificate in favour of the petitioner since the respondents one and two have signified their consent for the grant, in respect of the securities mentioned in the schedule to the petition.

27.04.2023

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Index :Yes/No

Speaking order: Yes/ No

Neutral citation: Yes/ No

Petitioner's witness:

P.W.1 – Mr.R.Gokul Krishnan



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O.P.No.256 of 2022

Documents exhibited by the petitioner:

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Computer generated death certificate of Mr.Rajasekaran
Ex.P2	Computer generated legal heir certificate of Rajasekaran
Ex.P3	Photocopy of the petitioner's Aadhar card
Ex.P4	Photocopy of the petitioner's PAN card
Ex.P5	Online printout of statement of accounts as on 03.03.2022 held by K.Rajasekaran in respect of shares and security issued by NSDL
Ex.P6	Consent affidavit given by the 1 st respondent herein
Ex.P7	Consent affidavit given by the 2 nd respondent herein
Ex.P8	Copy of paper publication effected in one issue of Tamil daily "Makkal Kural" dated 25.01.2023

27.04.2023

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K.KUMARESH BABU,J.

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27.04.2023