



O.P.No.441 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **28.04.2023**

CORAM

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

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1.Bhuvaneswari
2.Sriram Narayanan
3.Anupama Narayanan

... Petitioners

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 first Petitioner with power to collect debts and securities and to receive the interest as specified in the schedule annexed hereto.

For Petitioners : Mr.S.Prasanth

ORDER

The petitioners seek Succession Certificate in respect of the debts and securities held by Ramudu Sethu Narayanan, who died intestate on 03.02.2021. The first petitioner is the wife, the second petitioner is the son and the third petitioner is the daughter of the deceased Ramudu Sethu Narayanan.

2. The first petitioner has been examined as P.W.1. She has produced the death certificate of the deceased Ramudu Sethu Narayanan, as Ex.P1, and the legal heirship certificate of the deceased as Ex.P2. A perusal of Ex.P2 shows



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that the petitioners are the only legal heirs of the deceased. The first petitioner is the power agent of the of the second and third petitioners and she has been authorised under two Powers of Attorney dated 28.09.2021 and 29.09.2021. The photocopy of the Specific Power of Attorney is marked as Exs.P3 and P4. The second and third petitioners have given their consent affidavits expressing their no objection for the grant of succession certificate, their consent affidavits is marked as Exs.P11 and P12. 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 first petitioner since the petitioners two and three have signified their consent for the grant, in respect of the debts and securities mentioned in the schedule to the petition.

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Index :Yes/No

Speaking order: Yes/ No

Neutral citation: Yes/ No

Petitioner's witness:



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P.W.1 – Mrs.Bhuvaneswari

Documents exhibited by the petitioner:

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Computer generated death certificate of Ramudu Sethu Narayanan
Ex.P2	Computer generated legal heir certificate of Ramudu Sethu Narayanan
Ex.P3	Photocopy of the Specified Power of Attorney dated 29.09.2021 executed by the 2 nd petitioner in favour of the 1 st petitioner
Ex.P4	Specified Power of Attorney executed by the 3 rd petitioner in favour of the 1 st petitioner
Ex.P5	Still in force affidavit filed by the 1 st petitioner in respect of Exs.P3 and Ex.P4
Ex.P6	Computer generated Consolidated Investment Portfolio issued by ICICI Bank
Ex.P7	Computer generated statement of holding in the name of Ramudu Sethu Narayanan certified by ICICI Bank
Ex.P8	Computer generated statement of ICICI Mutual Fund Equity & Debt Fund bearing Folio No.9790097/48 standing in the name of Ramudu Sethu Narayanan certified by ICICI Bank
Ex.P9	Computer generated bank account statement of Ramudu Sethu Narayanan certified by ICICI Bank
Ex.P10	Computer generated Demat Account Statement of Ramudu Sethu Narayanan along with the certificate under Section 65B on the Evidence Act
Ex.P11	Consent affidavit of the 2 nd petitioner
Ex.P12	Consent affidavit of the 3 rd petitioner
Ex.P13	Copy of paper publication effected in one issue of Tamil daily “Makkal Kural” dated 04.01.2023



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