



O.P.NO.420 OF 2023

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N.SATHISH KUMAR, J.

This Original Petition has been filed under Section 372 of the Indian Succession Act XXXIX, 1925 read with Order XXV Rule 6 of the Madras High Court Original Side Rules, to grant succession certificate to the petitioner with power to collect the securities and to receive interest and dividends on and negotiate and transfer the securities specified in the schedule.

2.The petitioner is the wife and the respondent is the mother of the deceased Kamal Kannan Sivakumar @ Kamal Kannan S. Both the petitioner and the respondent are his only Class-I legal heirs. Hence, the petitioner has filed this petition seeking succession certificate in her favour.

3.The petitioner has examined herself as P.W.1 and marked 5 documents as Exs-P.1 to P.5. The petitioner herself has deposed about the deposits left by the deceased. The document viz., Ex-P.1 is the computer generated death certificate of the deceased; Ex-P.2 is the computer generated



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legal heir certificate of the deceased; Ex-P.3 is filed to show the assets left by the deceased; Ex-P.4 is the affidavit filed by the petitioner under Section 65B of the Indian Evidence Act; Ex-P.5 is the paper publication. None has objected for grant of succession certificate in favour of the petitioner.

4.The respondent has no objection for granting succession certificate in favour of the petitioner. The respondent has also filed consent affidavit in this regard.

5.Considering the above, the petitioner has established her right and she being the Class I legal heir of the deceased, is entitled to succession certificate.

6.Accordingly, this Original Petition is ordered as prayed for and a direction for grant of Succession Certificate in favour of the petitioner with power to collect the securities and to receive interest and dividends on and negotiate and transfer the securities specified in the schedule, is issued.

13.10.2023

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