



O.P.No.619 of 2022

/IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.02.2023

CORAM

THE HONOURABLE **MR.JUSTICE SENTHILKUMAR RAMAMOORTHY**

O.P.No.619 of 2022

1.R.Vasuki
2.A.Vimala
3.G.R.Ravindran
4.G.R.Srinivasan ... Petitioners

PRAYER: Original Petition filed under Section 372 of Indian Succession Act, 1925 under Order XXV Rule 6 of Madras High Court O.S.Rules, pleaded to order for grant of Succession Certificate in respect of the Schedule Property in the name of the first petitioner.

For Petitioners : Mr.V.Sridhar

ORDER

The petitioners seek the grant of a succession certificate in respect of the securities described in the schedule to the petition.



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2. The petitioners assert that first petitioner was the wife of the late G.P.V.Rajasekaran, who died intestate on 22.05.2021. It is further stated that his mother and father pre-deceased him. On the basis that the petitioners herein are the only surviving class-I legal heirs of the deceased, the present petition is filed.

3. In order to establish entitlement to the relief claimed, the petitioners adduced evidence by examining the third petitioner as P.W.1. In course of the examination-in-chief of P.W.1, the 7 documents listed at the foot of this order were exhibited as Exs.P1 to P7. The death certificate of Mr.Rajasekaran (Ex.P3) discloses that he died on 22.05.2021. His place of residence is indicated therein and the said address is within the jurisdiction of this Court. The legal heirship certificate in respect of Mr.V.Rajasekaran discloses the names of the four petitioners as the class-I legal heirs. As evidence of title of the deceased to the securities described in the schedule to the petition, Exs.P1, P2, P5 and P6 are placed on record. Paper publication was effected (Ex.P7). The second, third and fourth petitioners



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have submitted their consent affidavits for the grant of succession certificate to the first petitioner.

4. Based on the assertions in the petition and the evidence recorded in support thereof, the petitioners are entitled to the relief claimed.

5. Accordingly, O.P.No.619 of 2022 is allowed by directing that a succession certificate be issued to the first petitioner in respect of the securities described in the schedule to the petition. Consequently, the first petitioner shall be entitled to collect the securities, receive interest and dividends thereon, and negotiate and transfer the same.

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Index : Yes / No

Internet : Yes / No

Petitioner's witness:

P.W.1 - Mrs.Vasuki

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Documents exhibited by the petitioners:

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Photocopy of the share certificate of Tamil Nadu Mercantile Bank Limited bearing certificate No.20709 standing in the name of Mr.G.P.V.Rajasekaran (Compared with the original).
Ex.P2	Photocopy of the share certificate of Tamil Nadu Mercantile Bank Limited bearing certificate No.000057882 standing in the name of Mr.G.P.V.Rajasekaran (Compared with the original).
Ex.P3	Computer generated death certificate of Mr.V.Rajasekaran.
Ex.P4	Computer generated Legal Heirship certificate of Mr.V.Rajasekaran.
Ex.P5	Photocopy of the indemnity affidavit produced by the third petitioner to the Tamil Nadu Mercantile Bank Limited (Compared with the original).
Ex.P6	Photocopy of the reply letter dated 18.11.2021 from the Tamil Nadu Mercantile Bank Limited to the third petitioner (Compared with the original).
Ex.P7	Copy of paper publication effected in one issue of Tamil daily "Makkal Kural" dated 03.12.2022.



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