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O.P.No.755 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.06.2023

CORAM

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

O.P.No.755 of 2022

1.K.Archana

2.Master V.Sai Aadesh

3.K.Lalitha

... Petitioners

Prayer: Original Petition filed for Succession Certificate in respect of certain securities belonging to the deceased P.Vinod under Part X Section 372 of the Indian Succession Act, 1925 r/w Order XXV Rule 6 of Original Side Rules, prays that a Succession Certificate may be granted to the first Petitioner with the power to collect the securities and to receive dividends thereon and negotiate any transfer of the securities specified in the schedule hereunder.

For Petitioners : Mr.J.P.Srinivasa Ramanan

ORDER

The petitioners seek Succession Certificate in respect of the securities held by P.Vinod, who died intestate on 03.01.2022. The first petitioner is the wife, the second petitioner is the minor son and the third petitioner is the mother of the deceased P.



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2.The first petitioner has been examined as P.W.1. She has produced the death certificate of the deceased P. Vinod, as Ex.P1. The legal heirship certificate of the deceased P. Vinod is produced as, Ex.P2. A perusal of Ex.P2 shows that the petitioners are the only Class-I legal heirs of the deceased P. Vinod. The third petitioner has filed her consent affidavit expressing her no objection to the grant of a Succession Certificate in favour of the first petitioner. The said consent affidavit is marked as Ex.P9. A paper publication has been made and any objections have not been received.

3.In view of the above evidence, the Original Petition is allowed by granting Succession Certificate in favour of the first petitioner, since the second petitioner being a minor and the third petitioner has signified her consent for the grant, in respect of the securities mentioned in the schedule to the petition.

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Index :Yes/No

Internet: Yes/ No

Petitioner's witness:



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P.W.1 - Mrs.K.Archana

P.W.2 – Mrs.K.Lalitha

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<i>Exhibits</i>	<i>Documents</i>
Ex.P1	The computer generated death certificate of P.Vinod.
Ex.P2	The computer generated legal heirship certificate of P.Vinod.
Ex.P3	(series 5 Nos.) are the original statement of holdings as on 09.04.2022 issued by National Securities Depository Limited in respect of shares and securities held by P.Vinod in client ID.19539813.
Ex.P4	The photocopy of first petitioner's Aadhaar Card.
Ex.P5	The photocopy of the first petitioner's PAN Card.
Ex.P6	The photocopy of the third petitioner's Aadhaar Card.
Ex.P7	The photocopy of the third petitioner's PAN Card.
Ex.P8	The photocopy of the Aadhaar Card of minor Sai Aadesh.
Ex.P9	The consent affidavit of the third petitioner (K.Lalitha)
Ex.P10	The photocopy of the death certificate of B.N.Parameshwaran.
Ex.P11	The email dated 07.01.2022 sent by Religare Broking Limited addressed to the first petitioner
Ex.P12	The certificate filed under Section 65B of Indian Evidence Act.
Ex.P13	Copy of paper publication effected in Tamil daily “Makkal Kural” dated 20.03.2023

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