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O.P.No.551 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.551 of 2022

1.M.Chockkalingam

2.C.Sathiskumar

3.C.Sivarajani

... 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 2nd Petitioner with powers 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 Petitioners : Mr.R.Exhilarasan

ORDER

The petitioners seek Succession Certificate in favour of the 2nd petitioner in respect of the securities held by C.Thillaikarasi, who died intestate on 31.12.1999. The first petitioner is the husband, second petitioner is the son and third petitioner is the daughter of the deceased C.Thillaikarasi.

2. The second petitioner has been examined as P.W.1. He has produced the death certificate of the deceased C.Thillaikarasi, as Ex.P1, and the legal



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heirship certificate of the deceased C.Thillaikarasi as Ex.P2. A perusal of Ex.P2 shows that the petitioners are the only legal heirs of the deceased. The general power of attorney executed by the third petitioner in favour of the second petitioner as Ex.P4. 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 second petitioner in respect of the 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:

P.W.1 – Mr.C.Sathishkumar

Documents exhibited by the petitioner:

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Original death certificate of Mrs.Thillaikkarasi
Ex.P2	Photocopy of the legal heir certificate of Mrs.Thillaikkarasi



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<i>Exhibits</i>	<i>Documents</i>
Ex.P3	Downloaded copy of the subdivision of shares – of Caplin Point Laboratories Ltd in respect of Mrs.Thillaikkarasi
Ex.P4	Photocopy of the general power of attorney executed in favour of the 2 nd petitioner by the 3 rd petitioner
Ex.P5	Downloaded copy of the accounts statement as on 19.04.2022 in respect of the shares held by Mrs.Thillaikkarasi
Ex.P6	Downloaded copy of the accounts statement as on 19.04.2022 in respect of the shares held by Mrs.Thillaikkarasi
Ex.P7	Copy of paper publication effected in one issue of Tamil daily “Dhina Kural” dated 25.02.2023

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