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O.P.No.454 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.04.2023

CORAM

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

O.P.No.454 of 2022

- 1.V.R.Vijayaraghavan
- 2.Lakshmi Srinivasan
- 3.V.R.Sampath
- 4.Kalyani Ranganathan
- 5.Krishna Vasudevan
- 6.S.M.Vasudevan

... 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 Petitioners with power to collect the amount of debts and 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.T.N.C.Kaushik

ORDER

The petitioners seek Succession Certificate in respect of the debts and securities held by V.R.Varadarajan, who died intestate on 23.09.2021. The first and third petitioners are the brothers, second and fourth petitioners are the sisters and the fifth and sixth petitioners are the legal heirs of the late sister Vasumathy of the deceased V.R.Varadarajan.



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2. The petitioners submit that the deceased V.R.Varadarajan, remained unmarried till his death and his parents also pre-deceased him. The petitioners are the class-II legal heirs of the deceased.

3. The first petitioner has been examined as P.W.1. He has produced the death certificate of the deceased V.R.Varadarajan, as Ex.P1. The second to sixth petitioners have given their consent affidavits expressing their no objection for the grant of succession certificate, their consent affidavits is marked as Exs.P21 to P25. A paper publication has been made and any objections have not been received.

4. In view of the above said evidence, the Original Petition is allowed by granting Succession Certificate in favour of the first petitioner since the second to sixth petitioners 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 – Mr.V.R.Vijayaraghavan

Documents exhibited by the petitioners:

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Computer generated death certificate of V.R.Varadarajan
Ex.P2	Downloaded copy of the consolidated account statement of NSDL standing in the name of V.R.Varadarajan
Ex.P3	Fixed deposit receipt bearing no.PFD012190 of the Mylapore Hindu Permanent Fund LTD., standing in the name of V.R.Varadarajan
Ex.P4	Fixed deposit receipt bearing no.PFD009487 of the Mylapore Hindu Permanent Fund LTD., standing in the name of V.R.Varadarajan
Ex.P5	Fixed deposit receipt bearing no.PFD012121 of the Mylapore Hindu Permanent Fund LTD., standing in the name of V.R.Varadarajan
Ex.P6	Fixed deposit receipt bearing no.PFD009495 of the Mylapore Hindu Permanent Fund LTD., standing in the name of V.R.Varadarajan
Ex.P7	Fixed deposit receipt bearing no.PFD009486 of the Mylapore Hindu Permanent Fund LTD., standing in the name of V.R.Varadarajan
Ex.P8	Fixed deposit receipt bearing no.PFD010744 of the Mylapore Hindu Permanent Fund LTD., standing in the name of V.R.Varadarajan
Ex.P9	Fixed deposit receipt bearing no.CDJ085998 of Sundaram Finance standing in the name of V.R.Varadarajan
Ex.P10	Fixed deposit receipt bearing no.CDJ086000 of Sundaram Finance standing in the name of V.R.Varadarajan
Ex.P11	Fixed deposit receipt bearing no.CDJ087129 of Sundaram Finance standing in the name of V.R.Varadarajan
Ex.P12	Photocopy of the term deposit receipt bearing No.CDJ086001 of Sundaram Finance standing in the name of



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<i>Exhibits</i>	<i>Documents</i>
	V.R.Varadarajan
Ex.P13	Photocopy of the term deposit advice of State Bank of India, Mylapore Branch bearing deposit no.320062875815 standing in the name of V.R.Varadarajan
Ex.P14	Photocopy of the term deposit advice of State Bank of India, Mylapore Branch bearing deposit no.32164765568 standing in the name of V.R.Varadarajan
Ex.P15	Photocopy of the term deposit advice of State Bank of India, Mylapore Branch bearing deposit no.32787762375 standing in the name of V.R.Varadarajan
Ex.P16	Deposit receipt of City Union Bank bearing deposit account no.500707050005116 standing in the name of V.R.Varadarajan
Ex.P17	Deposit receipt of City Union Bank bearing deposit account no.500707150005881 standing in the name of V.R.Varadarajan
Ex.P18	Downloaded statement 0343000100108431 of Mr.V.R.Varadarajan in Mylapore Branch, Punjab National Bank showing the balance as on 30.09.2021
Ex.P19	Photocopy of the bank passbook of Mr.V.R.Varadarajan Mylapore Branch of Bank of Baroda bearing account no.05270100002316
Ex.P20	Photocopy of the bank passbook of Mr.V.R.Varadarajan Mylapore Branch of State Bank of India bearing account no.10476601675
Ex.P21	Consent affidavit of the 2 nd petitioner
Ex.P22	Consent affidavit of the 3 rd petitioner
Ex.P23	Consent affidavit of the 4 th petitioner
Ex.P24	Consent affidavit of the 5 th petitioner
Ex.P25	Consent affidavit of the 6 th petitioner
Ex.P26	Paper publication in one issue of “Makkal Kural” dated 23.09.2022



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