



O.P.No.634 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.634 of 2022

1.A.Afroz

2.Yassmeen Thahira

3.A.L.Shabnam Fathimaa

... 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 first Petitioner with power 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 : Ms.K.P.Uma Maheswari

ORDER

The petitioners seek Succession Certificate in respect of the securities held by Liaquat Ali, who died intestate on 15.12.2009. The first petitioner is the wife, second and third petitioners are the daughters of the deceased Liaquat Ali.



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2. The first petitioner has been examined as P.W.1. She has produced the death certificate of the deceased Liaquat Ali, as Ex.P1, and the legal heirship certificate of the deceased as Ex.P2. A perusal of Ex.P2 shows that the petitioners are the only legal heirs of the deceased. The second and third petitioners have given their consent affidavits expressing their no objection for the grant of succession certificate, their consent affidavits is marked as Exs.P9 and P10. 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 first petitioner since the second and third petitioners have signified their consent for the grant, 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 – Mrs.A.Afroz

Documents exhibited by the petitioners:



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<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Computer generated death certificate of Mir Liaquat Ali
Ex.P2	Photocopy of the legal heirship certificate of Mir Liaquat Ali
Ex.P3	Photocopy of the 1 st petitioner's Aadhar card
Ex.P4	Gazette publication dated 08.04.2015 for the name change of the second petitioner
Ex.P5	Photocopy of the share certificate of Gabriel India Limited standing in the name of Mir Liaquat Ali bearing certificate No.114511
Ex.P6	Photocopy of the paper publication in one issue of “Thina Seithi” dated 31.05.2018 showing the public notice with regard to the loss of the share certificates of Gabriel India Limited standing in the name of Mir Liaquat Ali
Ex.P7	series (6 Nos.) are the photocopies of the share certificates of Pressure Cooker And Appliances Limited later on named a Hawkins Cookers Limited standing in the name of Mr. Mir Liaquat Ali
Ex.P8	Copy of the paper publication in one issue of “Makkal Kural” dated 27.12.2022
Ex.P9	Consent affidavit of the 2 nd petitioner
Ex.P10	Consent affidavit of the 3 rd petitioner

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