



O.P.No.626 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.03.2023

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THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

O.P.No.626 of 2022

Sethu Vaidyanathan

... Petitioner

Vs

Anandhi Iswaran

... Respondent

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 Petitioner with powers to collect the securities and to receive interest and dividends on and negotiate and transfer the securities as specified in the schedule annexed hereto.

For Petitioner : Mr.S.Sivalinga Kesavan

For Respondent : Mr.V.Dhayanithi

ORDER

The petitioner seeks Succession Certificate in respect of the debts and securities held by P.V.Vaidyanathan, who died intestate on 08.01.2016. The petitioner is the son and respondent is the daughter of late P.V.Vaidyanathan.



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2. The petitioner has been examined as P.W.1. He has produced the death certificate of the deceased P.V.Vaidyanathan and Rajam Vaidyanathan (mother of the petitioner and respondent), as Exs.P1, and P2, and the legal heirship certificate of the deceased P.V.Vaidyanathan, as Ex.P3. A perusal of Ex.P3 shows that the petitioner and the respondent are the only surviving Class-I legal heirs of the deceased P.V.Vaidyanathan. The respondent has filed her consent affidavit expressing her no objection for grant of Succession Certificate in favour of the petitioner. The said consent affidavit has been marked as Ex.P8. A paper publication has been made and no objections have been received.

3. In view of the above evidence, the Original Petition is allowed granting Succession Certificate in favour of the petitioner since the respondent have signified her consent for the grant, in respect of the debts and securities mentioned in the schedule to the petition.

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Index :Yes

Note: Issue order copy on 30.03.2023



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WEB CO **Petitioner's witness:**

P.W.1 – Mr.Sethu Vaidyanathan

Documents exhibited by the petitioners:

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Computer generated death certificate of Mr.P.V.Vaidyanathan
Ex.P2	Computer generated death certificate Mrs.Rajam Vaidyanathan
Ex.P3	Computer generated Legal Heirship Certificate of Mr.P.V.Vaidyanathan
Ex.P4	Photocopy of the share certificate of Apollo Hospitals Enterprises Limited bearing folio No.000126 standing in the name of P.V.Vaidyanathan
Ex.P5	Photocopy of the share certificate of Apollo Hospitals Enterprises Limited bearing folio No.10235 standing in the name of P.V.Vaidyanathan
Ex.P6	Photocopy of the Term Deposit Advice of State Bank of India bearing Account No.34601763388 standing in the name of P.V.Vaidyanathan
Ex.P7	Photocopy of the petitioner's Aadhar card
Ex.P8	Consent affidavit given by the respondent
Ex.P9	Copy of paper publication effected in one issue of Tamil daily "Makkal Kural" dated 01.02.2023.

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