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O.P.No.584 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **31.03.2023**

CORAM

THE HONOURABLE **MR.JUSTICE K.KUMARESH BABU**

O.P.No.584 of 2022

1.Lakshmi Sriram
2.Malini Sriram (minor)

... Petitioners

Vs

Suganthi

... 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 in favour of the petitioners with power to collect and receive shares, securities, bonds, equities & Mutual fund investments and interest and dividends on and negotiate and transfer the securities as specified in the Schedule annexed hereto.

For Petitioners : Mr.M.Velmurugan

For Respondent : Mr.R.Rajeshwaran Rao

ORDER

The petitioners seek Succession Certificate in respect of the securities held by N.Sriram, who died intestate on 07.02.2022. The 1st petitioner is the wife, 2nd petitioner is the minor daughter, and respondent is the mother of the deceased N.Sriram.



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2. The 1st petitioner has been examined as P.W.1. She has produced the death certificate of the deceased N.Sriram, as Ex.P1, and the legal heirship certificate of the deceased N.Sriram, as Ex.P2. A perusal of Ex.P2 shows that the petitioners and the respondent are the only legal heirs of the deceased N.Sriram. The 1st petitioner herein undertakes to deposit the share of the 2nd petitioner derived out of the sale of the shares, securities, bonds, equities and mutual fund investments in any nationalized banks in the name of the 2nd petitioner till she attains the age of majority. The respondent have filed her consent affidavit expressing her no objection for grant of Succession Certificate in favour of petitioners. The said consent affidavit have been marked as Ex.P7. A paper publication has been made and objections have not been received.

3. In view of the above facts and evidence, the Original Petition is allowed granting Succession Certificate in favour of the 1st petitioner, since the respondent have 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
Speaking : Yes/ No
Neutral Citations : Yes/ No

Petitioners side witnesses:-

P.W.1 – Mrs.Lakshmi Sriram

Documents exhibited by the petitioners:

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Computer generated death certificate of Mr.N.Sriram
Ex.P2	Computer generated legal heirship certificate of Mr.N.Sriram
Ex.P3	Online printout of the consolidated account statement of NSDL in respect of the shares, securities, bonds, equities and mutual fund investments held by Mr.N.Sriram
Ex.P4	Photocopy of 1 st petitioner's Aadhaar card
Ex.P5	Photocopy of the Aadhaar card of the 2 nd petitioner
Ex.P6	Copy of paper publication effected in one issue of Tamil daily “Makkal Kural” dated 01.01.2023
Ex.P7	Consent affidavit given by the respondent

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