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O.P.No.148 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.03.2023

CORAM

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

O.P.No.148 of 2022

1.Manish D.Balaji
2.Priyanka D.Balaji

... Petitioners

Vs

1.P.Vijay Nichaani
2.Archana.P

... Respondents

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 encash the securities as specified in the schedule annexed hereto.

For Petitioner : Mr.S.K.Rameshwar

ORDER

The petitioners seek Succession Certificate in respect of the debts and securities held by late L.Maya Devi, who died intestate on 31.10.2018. The petitioners 1 and 2 are the children of the deceased son Deepak Bajaj and the respondents 1 and 2 are the children of the deceased daughter Neelam Bajaj of the deceased L.Maya Devi.



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2. The 1st petitioner has been examined as P.W.1. He has produced the death certificates of the deceased L.Maya Devi, R.Lachman Das Bajaj and L.Deepak Bajaj, as Exs.P1, P8 and P9, and the legal heirship certificates of the deceased L.Maya Devi and L.Deepak Bajaj, as Exs.P2 and P10. A perusal of Exs.P2 and P10 shows that the petitioners are the only surviving legal heirs of the deceased L.Maya Devi. The 2nd petitioner and 1st and 2nd respondent has filed their consent affidavit expressing their no objection for grant of Succession Certificate in favour of the 1st petitioner. The said consent affidavit has been marked as Exs.P11 to P13. 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 1st petitioner 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 : Yes/ No

Neutral Citations : Yes/ No



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Petitioners side witnesses:-

P.W.1 – Mr.Manesh D.Balaji

Documents exhibited by the petitioners:

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Computer generated death certificate of Mrs.L.Maya Devi
Ex.P2	Computer generated legal heirship certificate of Mrs.L.Maya Devi
Ex.P3	Photocopy of the consolidated account statement of NSDI, demat account for the period from 01.03.2020 to 31.03.2020 in respect of Mrs.L.Maya Devi
Ex.P4	Photocopy of the LIC policy bond bearing policy No.70490727 standing in the name of Mrs.L.Maya Devi
Ex.P5	Is the online printout of account statement in respect of the account held by Mrs.L.Maya Devi Laxmandas with Standard Chartered Bank
Ex.P6	Photocopy of the bank passbook of Union Bank bearing account No.520101231987354 in respect of Mrs.L.Maya Devi
Ex.P7	Photocopy of the term deposit receipt bearing account no.930355842 dated 19.01.2011 in respect of Mr.L.M.Balaji
Ex.P8	Computer generated death certificate of Mr.R.Lachman Das Bajaj
Ex.P9	Computer generated death certificate of Mr.L.Deepak Bajaj
Ex.P10	Computer generated legal heirship certificate of Mr.L.Deepak Bajaj
Ex.P11	Consent affidavit given by the 2 nd petitioner
Ex.P12	Consent affidavit given by the 1 st petitioner
Ex.P13	Consent affidavit given by the 2 nd respondent
Ex.P14	Copy of paper publication effected in one issue of Tamil daily “Dina Kural” dated 08.10.2022



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