



O.P.No.583 of 2022

K.KUMARESH BABU,J.

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Today, when the matter was taken up for hearing, by way of “being Mentioned” at the instance of the learned counsel appearing for the petitioner.

2.Learned counsel appearing for the petitioner and the 2nd respondent would submit that under Ex.P8, the consent affidavit, filed by the 2nd respondent had specifically claims that she is entitled to 1/3rd share to the assets as one of the legal heirs and prayed that as regards the 1/3rd of the assets declared by the petitioner succession certificate to be granted in favour of the 2nd respondent.

3.A perusal of the consent affidavit would also reflect the claim made by the learned counsels. The PW1, namely the petitioner herein, during the cross-examination as in clear terms stated that he has no objections for the grant of 1/3rd share to her 2nd daughter who is the 2nd respondent in the petition.

4.Hence, the Registry is directed to issue a fresh Succession Certificate by deleting the paragraph 3 in the order dated 17.03.2023 and shall add in its place the following:-

“In view of the above evidence, this Original Petition is allowed granting Succession Certificate in favour of the petitioner in respect of the 2/3rd share and the 2nd respondent in respect of the 1/3rd share in respect of the securities mentioned to the schedule in the petition.”

24.04.2023

gba

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