



WEB COPY



O.P.No.78 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.04.2023

CORAM

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU
O.P.No.78 of 2022

Kalpana

... Petitioner

Vs

Mahalaxmi Raja

... 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 debts and to receive the interest if any due thereon as specified in the schedule annexed hereto.

For Petitioner : Mr.E.Rajesh

For Respondent : No appearance

ORDER

The petitioner seeks Succession Certificate in respect of the debts held by R.Varalakshmi, who died intestate on 24.12.2020. The petitioner and the respondent are the daughters of the deceased R.Varalakshmi. The husband of the deceased S. Ramamurthy is pre-deceased.

2. The petitioner has been examined as P.W.1. She has produced the



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death certificates of the deceased R.Varalakshmi and Ramamurthy, as Exs. P2 and P3, and the legal heirship certificate of the deceased as Ex.P3. A perusal of Ex.P3 shows that the petitioners are the only legal heirs of the deceased. The respondent has been examined as R.W.1 and she has given her consent affidavit which is marked as Ex.R1. 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 petitioner, in respect of the debts mentioned in the schedule to the petition.

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Index :Yes/No

Speaking: Yes/ No

Neutral Citation: Yes/ No

Petitioner's witness:

P.W.1 – Mrs.Kalpana

Respondent's witness:

R.W.1 – Mahalaxmi Raja



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Documents exhibited by the petitioner:

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Computer generated death certificate of Mr.Ramamurthy
Ex.P2	Computer generated death certificate of Mrs.Varalakshmi
Ex.P3	Computer generated legal heirship certificate of Mrs.Varalakshmi
Ex.P4	Post Office savings account passbook bearing Account No.0125567383 in respect of Mrs.VaralakshmiRamamurthy
Ex.P5	Photocopy of petitioner's Aadhaar card
Ex.P6	Copy of paper publication effected in one issue of Tamil daily "Makkal Kural" dated 30.06.2022

Document exhibited by the Respondent:

<i>Exhibits</i>	<i>Document</i>
Ex.R1	Consent affidavit given by the respondent

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