



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.08.2023

CORAM

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

O.P.No.68 of 2022

1.Mrs.G.Deepa

2.Mrs.J.Saroja

3.Mr.G.Siddharth

4.Ms.G.Parkavee

... Petitioners

Prayer: Petition for Succession Certificate filed under Section 372 of Indian Succession Act read with Order XXV rule 6 of Original Side Rules, a Succession Certificate may be granted to the 1st petitioner with the power to collect the debts and to receive the interest and dividends on and negotiate and transfer the securities specified in the schedule herein.

For Petitioners: Mr.K.Jagannathan



ORDER

The petitioners seek Succession Certificate in respect of the debts and securities held by J.Gopala Krishnan, who died intestate on 30.04.2021. The first is the wife, the second petitioner is the mother, the third and fourth petitioners are the son and daughter of the deceased J.Gopala Krishnan.

2.By a separate order this court had recalled the order dated 21.04.2023 passed in the instant original petition, noting the amendment that had been carried out pursuant with regard to the assests in the scheduled mentioned petition.

3.The first petitioner has been examined as P.W.1. She has produced the death certificate of the deceased J.Gopala Krishnan, as Ex.P1. The legal heirship certificate of the deceased J.Gopala Krishnan, as Ex.P2. A perusal of Ex.P2 shows that the petitioners are the surviving legal heirs of the deceased J.Gopala Krishnan. A perusal of Exs.P12 and P13 which had been issued



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indicates holding of the deceased of the schedule mentioned certificate. The second to fourth petitioners have given their consent in favour of the first petitioner, which includes the assets in the amended schedule to the petition and their consent affidavit is marked, as Exs.P22 to P24. A paper publication has been made and any objections have not been received.

4.In view of the above said facts and evidence, the Original Petition is allowed by granting Succession Certificate in favour of the first petitioner, since the second to fourth petitioners have signified their consent 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 order:yes/no
pam



Petitioner's witness:

P.W.1 – Mrs.G.Deepa

Documents exhibits by the petitioners:

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Computer generated death certificate of Gopal Krishnan
Ex.P2	Computer generated legal heir certificate dated 28.06.2021 in respect of J.Gopal Krishnan
Ex.P3	Photocopy of the RC Book of two wheeler stands in the name of J.Gopal Krishnan
Ex.P4	Photocopy of the RC Book of car stands in the name of J.Gopal Krishnan
Ex.P5	Photocopy of 1 st petitioner's Aadhar card
Ex.P6	Photocopy of 1 st petitioner's PAN card
Ex.P7	Photocopy of the Aadhar card of Saroja Jambulingam, the 2 nd petitioner herein
Ex.P8	Photocopy of the Aadhar card of G.Siddharth, the 3 rd petitioner herein
Ex.P9	Photocopy of the PAN card of G.Siddharth, the 3 rd petitioner herein
Ex.P10	Photocopy of the Aadhar card of G.Parkavee, the 4 th petitioner herein
Ex.P11	Photocopy of the PAN card of G.Parkavee, the 4 th petitioner herein
Ex.P12	Original statement of holding of ICICI Bank in respect of Mr.Gopalakrishnan Jambulingam bearing client ID.No.30652539
Ex.P13	Original statement of holding of Edelweiss Broking Limited in respect of Mr.Gopalakrishnan.J dated 01.08.2021
Ex.P14	Original statement of holding of Kotak Bank in respect of Mr.Gopalakrishnan.J dated 30.04.2021
Ex.P15	Original statement of holding of Axis Bank in respect of Mr.Gopalakrishnan.J for the period of 01.04.2021 to 02.08.2021
Ex.P16	Photocopy of the sale deed dated 31.03.2003 in favour of Mr.J.Gopalakrishnan



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<i>Exhibits</i>	<i>Documents</i>
Ex.P17	Photocopy of the sale deed dated 05.05.1995 in favour of Mr.J.Gopalakrishnan
Ex.P18	Photocopy of the settlement deed dated 13.09.1995 in favour of Mr.J.Gopalakrishnan
Ex.P19	Original account statement of ICICI Bank in respect of Mr.Gopala Krishnan Jambulingam for the period 01.04.2021 to 30.06.2021
Ex.P20	Original account statement of City Bank in respect of Mr.J.Gopalakrishnan bearing account No.5-484073-114
Ex.P21	Affidavit of assets showing the net value of the estate as Rs.2,12,50,406.87
Ex.P22	Consent affidavit given by the 2 nd petitioner
Ex.P23	Consent affidavit given by the 3 rd petitioner
Ex.P24	Consent affidavit given by the 4 th petitioner
Ex.P25	Copy of paper publication effected in one issue of English daily “Trinity Mirror” dated 18.09.2022
Ex.P26	Copy of paper publication effected in one issue of Tamil daily “Malai Malar” dated 10.09.2022.

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