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O.P.No.504 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **05.04.2023**

CORAM

THE HONOURABLE **MR.JUSTICE K.KUMARESH BABU**
O.P.No.504 of 2022

1.S.Banupriya

2.S.Riya Shree

3.S.Rishivanth

... Petitioners

PRAYER: Original Petition filed for Succession Certificate under Section 372 of the Indian Succession Act, 1925 and under Order XXV Rule 6 of Original Side Rules, prays to grant a Succession Certificate to the petitioners with power to collect the securities and to receive the interest and dividends on and negotiate and transfer the securities specified in the Schedule mentioned.

(Amended the cause title and prayer as per order dated 06.03.2023 in Appl No.978 of 2023 in O.P.No.504 of 2022 and time extended as per order dated 29.03.2023)

For Petitioner : Mr.M.Senguttuvan

ORDER

The petitioners seek Succession Certificate in respect of the securities held by S.Sundaravelan, who died intestate on 06.05.2021. The 1st petitioner is the wife, 2nd and 3rd petitioners are the minor children of the



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deceased S.Sundaravelan.

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2. The 1st petitioner has been examined as P.W.1. She has produced the death certificate of the deceased S.Sundaravelan, M.Sivagnanam (father in-law of the 1st petitioner) and S.Prema Sivagnanam (mother in-law of the 1st petitioner), as Exs.P1, P4 and P5. The legal heirship certificate of the deceased S.Sundaravelan marked as Ex.P2. A perusal of Ex.P2 shows that the petitioners are the only Class-I legal heirs of the deceased S.Sundaravelan. A paper publication has been made and objections have not been received.

3.In view of the above evidence, the Original Petition is allowed by granting Succession Certificate in favour of the first petitioner, in respect of the securities mentioned in the schedule to the petition. Considering the fact that the second and third petitioners are minors.

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Index :Yes/No

Speaking: Yes/ No

Neutral Citation: Yes/No

Petitioner's witness:



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P.W.1 — Mrs.S.Banupriya

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Documents exhibited by the petitioners:

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Computer generated death certificate of S.Sundaravelan
Ex.P2	Computer generated legal Heirship certificate of S.Sundaravelan
Ex.P3	Original holding valuation dated 07.07.2022 issued by Kotak Securities Limited, Mumbai in respect of shares and securities held by S.Sundaravelan in client ID No.17940872
Ex.P4	Computer generated death certificate of M.Sivagnanam
Ex.P5	Computer generated death certificate of S.Prema Sivagnanam
Ex.P6	Copy of paper publication effected in one issue of Tamil daily “Makkal Kural”, dated 23.11.2022

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