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O.P.No.745 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.745 of 2022

1.Mary Malliga

2.Jasima

3.Kasandra Anthony

4.Monisha Anthony

... Petitioners

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 1st Petitioner with powers to collect the debts and to receive the interest as specified in the schedule annexed hereto.

For Petitioners : Mr.M.Senthilkumar

ORDER

The petitioners seek Succession Certificate in respect of the debts held by Albert, who died intestate on 15.02.2022. The first petitioner is the wife, the second, third and fourth petitioners are the daughters of the deceased Albert.

2. The first petitioner has been examined as P.W.1. She has produced the death certificate of the deceased Albert, as Ex.P1, and the legal heirship certificate of the deceased as Ex.P2. A perusal of Ex.P2 shows that the



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petitioners are the only legal heirs of the deceased. The second, third and fourth petitioners have given their consent affidavit expressing their no objection for the grant of succession which is marked as Exs. P9 to P11. 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 first petitioner since the petitioners two to four have signified their consent for the grant, 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.Mary Malliga

Documents exhibited by the petitioner:

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Computer generated death certificate of Mr.A.Albert
Ex.P2	Computer generated legal heirship certificate of Mr.Albert
Ex.P3	Photocopy of the Family Card of Mr.Albert
Ex.P4	Photocopy of the first petitioner's Aadhaar card



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<i>Exhibits</i>	<i>Documents</i>
Ex.P5	Photocopy of the Aadhaar card of Ms.S.Jasima, the 2 nd petitioner
Ex.P6	Photocopy of the Aadhaar card of Ms.Kasandra Anthony, the 3 rd petitioner
Ex.P7	Photocopy of the Aadhaar card of Ms.Monisha Anthony, the 4 th petitioner
Ex.P8	Photocopy of the letter dated 23.04.2022 addressed to me by the Assistant Supervisor
Ex.P9	Consent affidavit given by the 2 nd petitioner
Ex.P10	Consent affidavit given by the 3 rd petitioner
Ex.P11	Consent affidavit given by the 4 th petitioner
Ex.P12	Copy of paper publication effected in one issue of Tamil daily "Makkal Kural" dated 16.02.2023

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