



WEB COPY



O.P.No.587 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **02.06.2023**

CORAM

THE HONOURABLE **MR.JUSTICE K.KUMARESH BABU**
O.P.No.587 of 2022

- 1.K.L.Ilavarasi
- 2.C.Malavizhi
- 3.M.Baskaran
- 4.B.Aishwarya
- 5.B.Harikumaran ... 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 that a Succession Certificate may be granted to the petitioners with power to collect the debts and to receive the interest and dividends on and negotiate and transfer the securities specified in the schedule hereto.

For Petitioners : Mr.T.Sundaravadanam

ORDER

The petitioners seek Succession Certificate in respect of the debts held by Dr.A.N. Kalanitthi, who died intestate on 18.09.2020. The first and second petitioners are the daughters of the deceased. The third to fifth petitioners are the legal heirs of the pre-deceased daughter B.Kanimozhi, who are also the son-in law and grandchildren of the deceased.

2. The first petitioner has been examined as P.W.1. She has produced the death certificates of the deceased Dr.A.N.Kalanitthi and B.Kanimozhi,



O.P.No.587 of 2022

which have been marked as Exs.P15 and P11. The legal heirship certificates of the deceased Dr.A.N.Kalanitthi and B.Kanimozhi, were marked as Exs.P16 and P12. A perusal of Exs.P16, shows that the first and second petitioners are the Class I legal heirs, of the deceased Dr.A.N.Kalanitthi, and a perusal of Ex.P12 shows that the third to fifth petitioners are the only Class-I legal heir of the deceased daughter B.Kanimozhi. It is pertinent to note that an O.P.No.585 of 2022, is filed by the petitioners herein for grant of succession certificate for the debts held by their deceased mother and grandmother namely, Hemamalini Kalanitthi, and the same is also granted accordingly. A paper publication has been made and any objections have not been received.

3. In view of the above said facts and evidence, the Original Petition is allowed by granting Succession Certificate in favour of the petitioners in respect of the debts mentioned in the schedule to the petition.

02.06.2023

pbn

Index :Yes/No

Internet: Yes/ No

Petitioners' witness:

P.W.1 — Mrs.K.L.Ilavarasi

Documents exhibited by the petitioners:



O.P.No.587 of 2022

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Photocopy of Aadhar card of B.Kanimozhi
Ex.P2	Photocopy of Aadhar card of K.Hemamalini
Ex.P3	Photocopy of Aadhar card of An.Kalanitthi
Ex.P4	Photocopy of the first petitioner's bank passbook in Union Bank of India, Anna Nagar Branch
Ex.P5	Photocopy of Aadhar card of second petitioner
Ex.P6	Photocopy of Aadhar card of third petitioner
Ex.P7	Photocopy of Aadhar card of fourth petitioner
Ex.P8	Photocopy of Aadhar card of fifth petitioner
Ex.P9	E-mail communication sent by Aswin Kumar to KHM Hospital in respect of shares held by A.Kalanidhi in Hindustan Uniliver.
Ex.P10	Photocopy of Bonus Debenture certificate held by A.Kalanidhi Agasthiappan in Hindustan Lever Ltd.
Ex.P11	Computer generated death certificate of B.Kanimozhi
Ex.P12	Computer generated legal heirship certificate of B.Kanimozhi
Ex.P13	Photocopy of post office savings bank passbook held by A.N.Kalanitthi at Anna Nagar Post Office
Ex.P14	Computer generated death certificate of Hemamalini Kalanitthi
Ex.P15	Computer generated death certificate of Dr.A.N.Kalanitthi
Ex.P16	Computer generated legal heirship certificate of Dr.A.N.Kalanitthi
Ex.P17	Online printout of account statement in dated 31.10.2020 in respect of Demat account held by Agasthiappan Kalanidhi issued by CSDL.
Ex.P18	Computer generated legal heirship certificate of Hemamalini Kalanitthi
Ex.P19	Photocopy of registration certificate of KHM Hospital
Ex.P20	Affidavit filed the first petitioner under Section 65B of the Indian Evidence Act
Ex.P21	Copy of paper publication effected in one issue of Tamil daily



O.P.No.587 of 2022

<i>Exhibits</i>	<i>Documents</i>
	“Dina Kural”, dated 17.11.2022.

Pbn

02.06.2023



WEB COPY



O.P.No.587 of 2022

K.KUMARESH BABU,J.

pbn

O.P.No.587 of 2022

02.06.2023