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O.P.No.317 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.04.2023

CORAM

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU
O.P.No.317 of 2022

Christina

... Petitioner

Vs

1.S.Shiny Caroline

2.S.Heppin Paul

3.S.Eunice Deborah

... Respondents

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 2nd Petitioner with powers to collect the debts and to receive the interest as specified in the schedule annexed hereto.

For Petitioner : Mr.Ajay Rao
for Mr.C.Elamaran

For Respondents : Mr.Mathew Marshall

ORDER

The petitioner seek Succession Certificate in respect of the securities held by B.Selvaraj, who died intestate on 27.04.2021. The petitioner is the wife of the deceased. The first and the third respondent are the daughters and the second respondent is the son of the deceased B.Selvaraj.



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2. The petitioner has been examined as P.W.1. She has produced the death certificate of the deceased B.Selvaraj, as Ex. P1, and the legal heirship certificate of the deceased as Ex. P2. A perusal of Ex P2 shows that the petitioner and the respondents are the only legal heirs of the deceased. The respondents have filed their consent affidavits which are marked as Exs. P9 to P11. A paper publication has been made and 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 securities 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.Christina

Documents exhibited by the petitioners:

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Computer generated death certificate of Mr.Selvaraj
Ex.P2	Computer generated legal heirship certificate of Mr.Selvaraj
Ex.P3	Online printout of statement of account as on 20.07.2021 issued by SBI Mutual Fund in respect of dues held by



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<i>Exhibits</i>	<i>Documents</i>
	B.Selvaraj in Folio No.25222021.
Ex.P4	Photocopy of the Aadhaar card of Selvaraj
Ex.P5	Photocopy of the petitioner's Aadhaar card
Ex.P6	Photocopy of the Aadhaar card of 1 st respondent
Ex.P7	Photocopy of the Aadhaar card of 2 nd respondent
EX.P8	Photocopy of the Aadhaar card of 3 rd respondent
Ex.P9	Consent affidavit given of the 1 st respondent
Ex.P10	Consent affidavit given of 2 nd respondent
Ex.P11	Consent affidavit given of 3 rd respondent
Ex.P12	Copy of paper publication effected in one issue of Tamil daily "Makkal Kural" dated 07.12.2022

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