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O.P.No.48 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.07.2023

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

O.P.No.48 of 2023

- 1.Sabitha Ramanathan
- 2.Sarath Krishnan
- 3.Preethi Ramanathan,
(Sabitha Ramanathan is appointed as Guardian vide
Certificate No.366 dated 21.12.2012)
- 4.Bhageerathi Amma

... 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 to the petitioners with the powers to collect the Securities and to receive interest and dividends on, transfer and Negotiate the said Securities as specified in the schedule.

For Petitioners : Ms.S.Vennila

ORDER

This Original Petition has been filed under section 372 of the Indian Succession Act, 1925 seeking issuance of Succession Certificate to the petitioners in respect of schedule mentioned securities of the deceased P.K.Ramanathan.



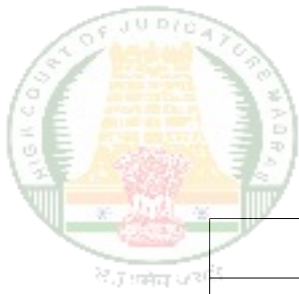
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WEB COPY 2.The averments in the Petition are as follows:-

The first petitioner submits that her husband P.K.Ramanathan died on 07.11.2019. The deceased died intestate by leaving behind the petitioners as legal heirs. The father of the deceased predeceased him. The third petitioner is mentally and physically challenged and her mother, the first petitioner is appointed as her guardian. Other than the petitioners, there are no other legal heirs of the deceased P.K.Ramanathan. The Succession Certificate is required for the purpose of receiving the amounts payable to the deceased from the Public Provident Fund (PPF). The Succession Certificate is required for a total value of Rs.11,03,545/-. Hence the petitioners have filed this Original Petition for grant of Succession Certificate.

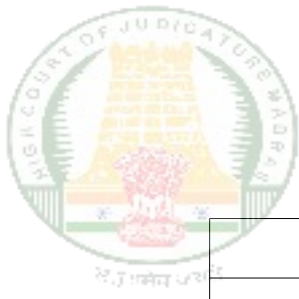
3. Paper publication effected. There is no objector.

4. The 1st petitioner was examined as P.W.1 and the following documents were marked as Exhibits P1 to P8:



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<i>Exhibits</i>	<i>Documents</i>
Ex.P1	The computer generated death certificate of P.K.Ramanathan.
Ex.P2	The computer generated legal heirship certificate of P.K.Ramanathan.
Ex.P3	The photocopy of the Aadhar Card of the first petitioner.
Ex.P4	The photocopy of the Disability Certificate of Preethi Ramanathan.
Ex.P5	The photocopy of the Certificate of Appointment of Guardianship issued by the National Trust dated 21.10.2010.
Ex.P6	The photocopy of the Bank passbook of the Public Provident Fund Account of P.K.Ramanathan bearing Account No.10712833372, Gopalapuram Branch, State Bank of India issued on 15.11.1995.
Ex.P7	The photocopy of the Bank passbook of the Public Provident Fund Account of P.K.Ramanathan bearing Account No.10712833372, Gopalapuram Branch, State Bank of India issued on 21.04.2011.
Ex.P8	The copy of the paper publication effected in one issue of Tamil Daily



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<i>Exhibits</i>	<i>Documents</i>
	"Makkal Kural" dated 11.04.2023.

5. Ex.P1 is the death certificate of P.K.Ramanathan. The legal heir certificate is marked as Ex.P2 to show that the petitioners are the only legal heirs of the deceased P.K.Ramanathan. The publication issued in "Makkal Kural" on 11.04.2023 which is marked as Ex.P8 did not attract any objectors.

6. The above oral and documentary evidence produced by the petitioners would prove their entitlement for the grant of Succession Certificate as prayed by them.

7. Hence:

(a) this Original Petition is ordered and

(b) The Succession Certificate shall be issued in favour of the first petitioner, with power to collect the debts with interest and dividends on and negotiate and transfer the securities specified in the schedule to the Petition on payment of appropriate succession duty, if not paid earlier.

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Index :Yes/No
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