



O.P.No.536 of 2023

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N.SATHISH KUMAR, J.

This Petition has been filed under Section 372 of the Indian Succession Act read with Order XXV Rule 6 of the Madras High Court Original Side Rules, to grant succession certificate in favour of the seventh petitioner.

2. Heard the learned counsel for the petitioners.

3. It is the case of the petitioners that they are the legal heirs of the deceased Kantilal.K Patel. The deceased Kantilal.K Patel died on 31.07.1951. The deceased Kantilal.K Patel was married to Gangabel Patel and out of their wedlock, two daughters were born, i.e., the petitioners 1 and 2. The said Gangaben Patel died on 31.07.1951, then, deceased married Jayaben Patel and out of their wedlock, the petitioners 3 to 7 were born. The deceased died intestate and though due and diligent search has been made



O.P.No.536 of 2023

for a Will, none has been found in respect of the debts mentioned in the schedule. The deceased left the amount specified in the Schedule, within the jurisdiction of this Court. The succession certificate is required for the purpose of applying and inheriting, transmitting the shares as described in the Schedule, to the market value of Rs.26,76,000/-. The other petitioners have filed their consent affidavit to grant succession certificate in favour of the seventh petitioner. Hence, the petitioners have approached this Court for grant of succession certificate in favour of the seventh petitioner with power to collect the securities and to receive the interests and dividends thereon and negotiate and transfer the securities as specified in the schedule.

4. The seventh petitioner was examined as P.W.1 and marked Ex.P1 to Ex.P.8.

5. P.W.1 in his evidence had narrated the averments made in the petition stating that the petitioners have filed this petition for grant of Succession Certificate in favour of seventh petitioner. Ex.P.1 is the computer generated death certificate of the deceased Mr.M.Kantilal.K.Patel.



O.P.No.536 of 2023

Ex.P2 is the computer generated legal heir certificate of Mr.M.Kantilal.K.Patel. Ex.P.6 is the original letter dated 01.03.2022 sent by the Integrated Corporate Solutions Simplified addressed to the petitioners seeking for the succession certificate. Ex.P.8 is the copy of the paper publication. Despite Ex.P.8 paper publication, none objected and the same is recorded.

6. Considering the averments made in the petition as well as the documents, this petition is ordered as prayed for and a direction for grant of Succession Certificate in favour of the seventh petitioner with power to collect the securities, debts, to receive interest, dividends on, negotiate and transfer the securities specified in the schedule together with interest as applicable till the date of withdrawal, is issued.

07.12.2023

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O.P.No.536 of 2023

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