



O.P.No.26 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **02.06.2023**

CORAM

THE HONOURABLE **MR.JUSTICE K.KUMARESH BABU**
O.P.No.26 of 2023

D.Girija

... Petitioner

Vs.

1.Mrs.D.Saraswathy

2.Mrs.Banumathy Jayapal

... Respondents

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 1/3rd share together with accumulated interest if any, specified in the schedule-B hereto and grant such of other relief.

For Petitioner : Mr.S.Saraboji

For Respondents : Mr.H.Surendar for RR1 &2

ORDER

The petitioner seeks Succession Certificate in respect of the debts held by A.S.Dharmalingam, who died intestate on 07.07.2018. The petitioner and the second respondent are the daughters, and the first respondent is the wife



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of the deceased A.S.Dharmalingam.

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2.The petitioner has been examined as P.W.1. She has produced the death certificate of the deceased A.S.Dharmalingam, which has been marked as Ex.P2. It is pertinent to note that an O.P.No.194 of 2022, is filed by the respondents herein, for grant of succession certificate for their 2/3rd share in the debts held by A.S.Dharmalingam, 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 petitioner in respect of her 1/3rd share in the debts mentioned in the schedule to the petition.

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Index :Yes/No

Speaking: Yes/ No

Neutral Citation: Yes/No

Petitioners' witness:

P.W.1 — Mrs.D.Girija



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Documents exhibited by the petitioner's:

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Photocopy of the family card of Mr.A.S.Dharmalingam
Ex.P2	Photocopy of the death certificate of Mr.A.S.Dharmalingam
Ex.P3	Photocopy of the petitioner's Aadhar Card
Ex.P4	Photocopy of the PAN Card of the first respondent
Ex.P5	Photocopy of the PAN Card of the second respondent
Ex.P6	Photocopy of Indian Bank Passbook bearing account No.6218616420 in respect of Mr.A.S.Dharmalingam
Ex.P7	Photocopy of Indian Bank Passbook bearing account No.600610046 in respect of Mr.A.S.Dharmalingam

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