



O.P.No.67 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED: 02.08.2023

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA
O.P.No.67 of 2023

- 1.K.Nedumaran
- 2.K.Rajasekaran
- 3.K.Natarajan
- 4.Tmt.K.Premalatha
- 5.Tmt.K.Chandrika
- 6.K.Venkatramanan
- 7.Mrs.R.Sabitha
- 8.Mrs.R.Poornima
- 9.Mrs.R.Prathima
- 10.R.Prashanthi

... 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 tenth petitioner 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 : Mr.R.D.Ashok



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ORDER

WEB COPY This Original Petition has been filed under section 372 of the Indian Succession Act, 1925 seeking issuance of Succession Certificate to the tenth petitioner in respect of schedule mentioned securities of the deceased G.Kesavan and Tmt.K.Ranjitham.

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

Mr.Kesavan and Mrs.Ranjitham died on 09.12.2008 and 31.05.2015 respectively. The petitioners 1 to 6 are the sons and daughters of the deceased. The seventh petitioner is the wife of the pre-deceased son of Mr.Kesavan and Mrs.Ranjitham. The petitioners 8 to 10 are the grand children of the deceased. Since the parents of the petitioners 1 to 6 died intestate by leaving behind the petitioners as legal heirs, the petitioners are entitled to get their respective share of the estate of the deceased. There are no other legal heirs of the deceased except the petitioners herein. The petitioners 1 to 9 have given no objection for granting Succession Certificate in favour of the tenth petitioner. Therefore, there is no impediment in granting Succession Certificate in favour of the tenth petitioner. Hence, for the purpose of transmitting the securities mentioned in the schedule to the name of the petitioners, they have come out with this



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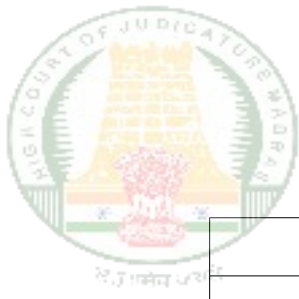
Petition and prayed for the issuance of Succession Certificate.

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3. Paper publication effected. There is no objector.

4. The tenth petitioner examined herself as PW.1 and Ex.P1 to Ex.P8 were marked through her and they are listed as hereunder:

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	The computer generated copy of the death certificate of G.Kesavan dated 09.12.2008.
Ex.P2	The original legal heirship certificate of G.Kesavan dated 05.03.2013.
Ex.P3	The computer generated copy of the death certificate of K.Ranjitham dated 31.05.2015.
Ex.P4	The original legal heirship certificate of K.Ranjitham dated 27.03.2017.
Ex.P5	The computer generated copy of the death certificate of Dr.K.Ravindran dated 10.08.2020.
Ex.P6	The computer generated copy of the legal heirship certificate of Dr.K.Ravindran dated 12.10.2020.
Ex.P7	The photocopy of the Indian Bank Account passbook of G.Kesavan.
Ex.P8	The photocopy of the Indian Bank Account passbook of K.Ranjitham.
Ex.P9	The certified copy of the bank statement of G.Kesavan dated 18.08.2022.



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<i>Exhibits</i>	<i>Documents</i>
Ex.P10	The paper publication in Tamil Daily "Dina Kural" dated 04.06.2023.

5. Ex.P1 is the death certificate of G.Kesavan who died on 09.12.2008 and the legal heir certificate of G.Kesavan is marked as Ex.P2. Ex.P3 is the death certificate of K.Ranjitham who died on 31.05.2015. Ex.P4 is the legal heir certificate of K.Ranjitham . Since both the deceased died intestate, the petitioners who are the legal heirs have got the right to inherit the securities mentioned in the schedule equally among themselves. Therefore, the petitioners have filed this Petition for the grant of Succession Certificate.

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



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(b) The Succession Certificate shall be issued in favour of the tenth 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 in equal proportion on payment of appropriate succession duty, if not paid earlier.

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Index :Yes/No
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