



O.P.NO.119 OF 2023

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WEB CO **N.SATHISH KUMAR, J.**

This Original Petition has been filed under Section 372 of the Indian Succession Act, 1925 read with Order XXV Rule 6 of the Madras High Court Original Side Rules, to grant succession certificate in favour of the second petitioner with power to collect the securities and to receive dividends thereon and negotiate and transfer the securities specified in the schedule.

2. Heard the learned counsel for the petitioners.

3.The first petitioner is the wife of the deceased; petitioners 2 to 4 are the sons and fifth petitioner is the daughter of the deceased. The petitioners, being Class-I legal heirs of the deceased, seek succession certificate in favour of the second petitioner.

4.For issuance of succession certificate in respect of the assets left by the deceased, second petitioner has examined himself as P.W.1 and marked Exs-P.1 to P.5.



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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 the second petitioner. To prove the death of the deceased, Ex-P.1 is marked. Ex-P.2 is the legal heir certificate of the deceased; Ex-P.3 is filed to show the assets left by the deceased; Ex-P.5 is the paper publication and none have objected for it. Petitioners 1, 3, 4 and 5 have filed consent affidavits.

6.Considering the averments made in the Original Petition and the documents filed by the petitioners, I am satisfied that the petitioners, being Class – I legal heirs, have succeeded the Estate of the deceased Mr.Subhash Chandra Rathi. Therefore, the Original Petition is ordered as prayed for as the petitioners 1, 3, 4 and 5 are given consent for the same and a direction for grant of Succession Certificate in favour of the second petitioner with power to collect the securities and to receive dividends thereon and negotiate and transfer the securities specified in the schedule, is issued.

19.10.2023

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