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O.P.No.186 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.08.2023

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

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1. Prema Sitaraman

2. Priay S.Raman

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Petitioners

Original Petition filed under Section 372 of the Indian Succession Act, 1925 r/w. Order XXV Rule 6 of the Madras High Court Original Side Rules, to issue succession certificate to the second petitioner with power to collect securities and to receive the interest and dividend on and negotiate and transfer the securities specified in the schedule hereto.

For Petitioner : Mr.G.Thangavel

ORDER

This petition is filed under Section 372 of the Indian Succession Act, 1925 r/w. Order XXV Rule 6 of the Madras High Court Original Side Rules, seeking issuance of Succession Certificate to the second petitioner with power to collect securities and to receive the interest and dividend on and negotiate and transfer the securities specified in the schedule hereto.

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



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The petition mentioned assets were owned by one Thiruvialloor Raghavan Sitaraman. The said Thiruvialloor Raghavan Sitaraman died intestate on 05.05.2021 leaving behind his wife and only daughter who are the petitioners herein. Since the said Thiruvialloor Raghavan Sitaraman died intestate, his legal heirs are entitled to inherit the petition mentioned securities.

3. The first petitioner examined herself as P.W.1 and marked Exs.P1 to P6.

4. Ex.P1 is the death certificate of Thiruvialloor Raghavan Sitaraman and Ex.P2 is the legal heirship certificate of Thiruvialloor Raghavan Sitaraman which would show that the petitioners are his only legal heirs. Ex.P3 is the Demat Account Statement of the shares owned by the deceased Thiruvialloor Raghavan Sitaraman. Ex.P5 is the consent affidavit given by the first petitioner in favour of the second petitioner.

5. Paper publication effected in one issue of Tamil daily “Makkal Kural” dated 17.06.2023 did not attract any objectors.



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6. Since the deceased died intestate by leaving behind the petitioners as his only legal heirs, they are entitled to inherit the petition mentioned securities. The above documentary evidence produced by petitioners would prove their entitlement for the grant of Succession Certificate as prayed.

7. Hence:

(a) the petition is **ordered** and

(b) The Succession Certificate shall be issued in favour of the second petitioner in respect of the securities mentioned in the Schedule with power to collect securities and to receive the interest and dividend on and negotiate and transfer the securities specified in the schedule hereto on payment of appropriate succession duty, if it not paid already.

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Examined Witness:

P.W.1 – Prema Sitaraman

Documents marked:

<i>Exhibits</i>	<i>Documents</i>
P1	Computer generated death certificate of T.R.Sitaraman
P2	Computer generated legal heir certificate of T.R.Sitaraman
P3	Original Demat Account Statement of the shares standing in the name of T.R.Sitaraman
P4	Photocopy of the first petitioner's Aadhaar card
P5	Consent affidavit given by the first petitioner in favour of the second petitioner
P6	Copy of paper publication effected in one issue of Tamil daily “Makkal Kural” on 17.06.2023.

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