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O.P. No.170 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.06.2024

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

O.P. No. 170 of 2024

- 1.Madhumitha Theagarajan
- 2.Rakshith Ravichandran
- 3.Hanshith Ravichandran
Minor aged about 7 years,
Rep by his mother and Natural Guardian
Madhumitha Theagarajan
- 4.Mrs.Vasanthar Aruljothi
- 5.Aruljothi Thiruvengadam

... 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 1st petitioner viz., Madhumitha, with a power to collect and to receive the debts with interest with respect to their PPF claim only as specified in the Schedule hereto.

For Petitioners : Mr.V.G.Suresh Kumar

ORDER

This Original Petition has been filed under section 372 of the Indian Succession Act, 1925 seeking issuance of Succession Certificate to the 1st



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petitioner viz., Madhumitha, with power to collect and to receive the debts with interest with respect to their PPF claim only as specified in the Schedule hereto.

2. The 1st petitioner is the wife of the deceased Ravichandran Aruljothi who died intestate on 01.08.2022. The second and third petitioners are the sons of the deceased and the 4th and 5th petitioners are the parents of the deceased. The details of the debts have been given in the schedule to the petition. The deceased had an account in ICICI Bank which was a PPF account. The fifth petitioner who is the father of the deceased had been added as a party out of abundant caution, since his name was included in the legal heir certificate.

3. Paper publication effected. There is no objector.

4. The 1st petitioner examined herself as PW.1 and Ex.P1 to Ex.P10 were marked through her. It must be stated that the third petitioner is a minor son. Since the deceased died intestate, the petitioners who are the legal heirs have got the right to inherit the debts mentioned in the schedule equally among themselves. Therefore, the petitioners have filed this Petition



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for grant of Succession Certificate.

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5. Taking into consideration the facts and circumstances, the Original Petition stands allowed and the Succession Certificate shall be issued in favour of the 1st petitioner, with power to collect the debts and to receive the interest and dividends thereon and negotiate and transfer the debts specified in the Schedule hereunder on payment of appropriate succession duty, if not paid earlier. The first petitioner should deposit 1/4th of the accrued amount received from ICICI Bank from PPF account of the deceased, in any Nationalised Bank and she is permitted to enjoy the interest every quarterly. The Fixed Deposit should be in her name and in the name of the third petitioner who is a minor son. If ever in future she requires to utilise the principal amount, she shall file an application before this Court. The original Fixed Deposit receipts may be deposited in this Court.

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Index :Yes/No
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APPENDIX

Petitioners' witness:

P.W.1 – Mrs.Madhumitha Theagarajan

Documents marked:

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	The computer generated death certificate of Mr.Ravichandran Aruljothi
Ex.P2	Photocopy of the Aadhaar Card of Mr.Ravichandran Aruljothi.
Ex.P3	Photocopy of the first petitioner's Aadhaar Card.
Ex.P4	Photocopy of the Aadhaar Card of the second petitioner.
Ex.P5	Photocopy of the Aadhaar Card of the third petitioner.
Ex.P6	Photocopy of the Aadhaar Card of the fourth petitioner.
Ex.P7	Photocopy of the Aadhaar Card of the fifth petitioner.
Ex.P8	The original statement of account as on 12.02.2024 given by ICICI Bank, Mogappair West branch in respect of account held by Mr.Ravichandran Aruljothi bearing A/c.No.000418127997.
Ex.P9	The computer generated legal heir certificate of Mr.Ravichandran Aruljothi.
Ex.P10	Copy of the paper publication effected in one issue of Tamil Daily “Makkal Kural” dated 04.04.2024.

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C.V.KARTHIKEYAN, J.

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