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O.P.No.228 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.10.2024

CORAM

THE HONOURABLE MR.JUSTICE RMT.TEEKAA RAMAN

O.P.No.228 of 2024

1. K.S.Sivakumar

2. S.Ranjani

3. S.Kiruthika

...

Petitioners

PRAYER: Original Petition filed under Section 372 of Indian Succession Act, 1925, under Order XXV Rule 6 of Original Side Rules, praying that a Succession Certificate may be granted to the petitioners with the power to collect the securities and to receive the interest and dividends thereon and negotiate and transfer the securities specified in the schedule.

For Petitioners : Ms.R.Varalakshmi

ORDER

Original Petition filed under Section 372 of Indian Succession Act, 1925, under Order XXV Rule 6 of Original Side Rules, praying that a Succession Certificate may be granted to the petitioners with the power to collect the securities and to receive the interest and dividends thereon and negotiate and transfer the securities specified in the schedule.



2. It is submitted by the learned counsel for the petitioners that Mrs.S.Lakshmi died intestate on 06.11.2007, at her ordinary place of residence, No.1, Peria Appavu Street, Madalampetti, Kumbakonam, Tanjavur District and left property specified in the schedule. The deceased left behind her husband, K.S.Siva Kumar and two daughters, S.Ranjani and S.Kiruthika, who are the petitioners herein and the legal heirs of the deceased.

3. It is further submitted by the learned counsel for the petitioners that the deceased, Mrs.S.Lakshmi, at the time of her death, held 6,751 shares in City Union Bank Ltd., as mentioned in the schedule. A succession certificate is required for the purpose of receiving those shares and the petitioners 1 to 3 together claims to be entitled to equal shares of the estate specified in the schedule. The total value of the assets in respect of which the succession certificate is required is of the value of Rs.9,28,936/-.

4. After following due procedure, the petitioners were invited to tender evidence. The 1st petitioner, Mr.K.S.Siva Kumar examined himself as P.W.1 and marked Exs.P1 to P9. Paper publication has been effected and the learned Master did not receive any objections.

5. In view of both oral and documentary evidences adduced before this



Court, I find no impediment to grant succession certificate to the petitioners.

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6. Hence, this Original Petition stands allowed. The Succession Certificate may be issued in favour of the petitioners in accordance with rules, with the power to collect the securities and to receive the interest and dividends thereon and negotiate and transfer the securities specified in the schedule.

17.10.2024

Index :Yes/No

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APPENDIX

Petitioner's witness:

P.W.1 – Mr.K.S.Siva Kumar

Documents marked:

<i>S.No</i>	<i>Particulars</i>	<i>Exhibits</i>
1	Photocopy of the death certificate of Mrs.C.Lakshmi (Compared with the original)	P1
2	Photocopy of legal heir ship certificate of Mrs.Lakshmi (Compared with the original)	P2
3	Photocopy of the Aadhaar Card (P.W.1) (Compared with the original)	P3
4	Photocopy of the Aadhaar Card of the second petitioner (Compared with the original)	P4
5	Photocopy of the Aadhaar Card of the third petitioner (Compared with the original)	P5



WEB COPY

O.P.No.228 of



<i>S.No</i>	<i>Particulars</i>	<i>Exhibits</i>
6	Copy of the paper publication effected in one issue of Tamil Daily "Dina Kural" dated 26.06.2024	P6
7	Certificate regarding the shares held by Mrs.S.Lakshmi received through E-mail from Integrated Registry Management Services Private Ltd.	P7
8	Downloaded copy of the market value of the share as on 15.02.2024	P8
9	Certificate under Section 63 of BSA	P9

17.10.2024

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