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O.P.No.88 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **15.07.2024**

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

O.P. No. 88 of 2024

1.Hajara

2.P.M.Azeez

3.P.M.Shajitha

... Petitioners

PRAYER: Original Petition filed under Section 372 and Part X of the Indian Succession Act, XXXIX of 1925 read with Order XXV Rule VI of Original Side Rules to issue succession certificate to the 2nd petitioner with power to collect the debts and to receive interest and dividends on and negotiate and to transfer the securities specified in the schedule hereto.

For Petitioners : Mr.B.Dinesh Kumar

ORDER

The petition has been filed under Section 372 of the Indian Succession Act, 1925, seeking succession certificate to be issued to the



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2nd petitioner relating to the securities in the name of P.A.Mohammed, father of the petitioners. He died intestate on 31.07.2018.

2. The mother of the petitioners had pre-deceased him. The securities relating to share certificates in M/s.Sriram Transport Finance Company Limited have been given in the schedule to the petition.

3. After following due procedure, the petitioners were directed to tender evidence and accordingly, the 2nd petitioner examined himself as P.W.1. He marked the death certificate of his mother and father as Exs.P1 and P2. The legal heirship certificate of his father was marked as Ex.P3. The documents relating to the share certificates were marked as Ex.P4 to P6.

4. Taking into consideration the nature of evidence adduced and documents produced, this Original Petition is allowed and succession certificate to be issued in the name of the 2nd petitioner with power to collect the debts, to receive interest and dividends on and negotiate and



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to transfer the securities specified in the schedule hereto, on payment of appropriate succession duty, if not paid earlier.

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Index :Yes/No

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APPENDIX

Petitioners' witness:

P.W.1 – Mr.P.M.Azeez

Documents marked:

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Photocopy of death certificate of Mrs.Nefeesa (compared with the original).
Ex.P2	Computer generated death certificate of Mr.P.A.Mohammed.
Ex.P3	Computer generated legal heir certificate of Mr.P.A.Mohammed.
Ex.P4	Letter dated 12.09.2018 sent by the second petitioner to Integrated Registry Management Services Private Limited with regard to transmission of shares of Mr.P.A.Mohammed.



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<i>Exhibits</i>	<i>Documents</i>
Ex.P5	Online printout of Police complaint dated 20.02.2020 with regard to document missing lodged by the second petitioner at Triplicane Police Station.
Ex.P6	Letter dated 25.02.2020 sent to the second petitioner by Integrated Registry Management Services Private Limited with regard to transmission of shares of Mr.P.A.Mohammed and asking for succession certificate from the competent court of law.
Ex.P7	Copy of the paper publication dated 20.04.2024.
Ex.P8	Certificate under Section 65B of the Indian Evidence Act, 1872.

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