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O.P.No.701 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **26.06.2024**

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

O.P. No. 701 of 2023

A.M.Farouk

... Petitioner

PRAYER: Original Petition filed under Section 372 of the Indian Succession Act read with Order XXV Rule 6 of the Original Side Rules to grant the petitioner with power to collect the securities and to receive the interest and transfer the securities specified in the schedule.

For Petitioner : Mr.K.Ajith Kumar
for M/s.Swarnam J Rajagopalan

ORDER

The petition has been filed taking advantage of Section 372 of the Indian Succession Act, seeking succession certificate relating to the securities in the name of R.Abdul Aziz, father of the petitioner who died intestate on 07.11.1977.



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2. The securities have been mentioned in the schedule to the petition. It had been stated that the petitioner is the only legal heir.

3. After completing the formalities, the petitioner was directed to tender evidence. He examined himself as P.W.1 and marked the death certificate and legal heirship certificate of his father as Exs.P1 and P6. He also marked the documents relating to the share certificates as Exs.P7, P8 and P9.

4. Taking into consideration the nature of evidence adduced and the documents produced, the Original Petition stands allowed. Registry to issue succession certificate in the name of the petitioner in accordance with rules.

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Index :Yes/No
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APPENDIX

Petitioner's witness: P.W.1 – Mr.A.M.Farouk

Documents marked:

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Death certificate of Mr.R.Abdul Aziz.
Ex.P2	Photocopy of my Voter Identity Card issued by Election Commission of India (compared with the original).
Ex.P3	Photocopy of my passport bearing No.J9403166 (compared with the original).
Ex.P4	Photocopy of my Pan Card (compared with the original).
Ex.P5	Copy of the paper publication effected in one issue of Tamil Daily “Makkal Kural” dated 29.02.2024.
Ex.P6	Original legal heir ship certificate of Mr.R.Abdul Azeez.
Ex.P7	Photocopy of my letter dated 29.03.2014 addressed to the Company Secretary, M/s.Exide Industries Ltd, requesting to transfer shares belonging to my father Mr.R.Abdul Azeez (compared with original).
Ex.P8	Reply letter for Ex.P7 given by Exide Industries Ltd, addressed to me (compared with original).
Ex.P9	Photocopy of the attendance slip issued by M/s.Exide Industries Ltd., showing the address proof of my father Mr.R.Abdul Azeez (compared with original).



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