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O.P.No.512 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 21.12.2024

Coram:

THE HONOURABLE Dr. JUSTICE G.JAYACHANDRAN

Original Petition No.512 of 2024

1.Mrs.P.R.Geetha
2.Mr.S.Ashwin

... Petitioners

Prayer: Original Petition has been filed under Sections 372 of Indian Succession Act, 1925 read with Order XXV Rule 6 of Original Side Rules that pleased to grant Succession Certificate to the 1st petitioner with power to collect Securities and receive the interest and dividends thereon and negotiate and transfer the Securities specified in the Schedule hereto.

For Petitioners : M/s.M.Anitha

For Respondents : No appearance

ORDER

The Original Petition has been filed under Section 372 of Indian Succession Act, 1925 read with Order XXV Rule 6 of Original Side Rules seeking a Succession Certificate in respect of the securities left behind by the late K.Sabapathi.



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2. The petitioners are the wife and son of the late K.Sabapathi, who died on 30.04.2023 in Chennai, leaving behind his wife and son as his legal heirs. He died intestate and the shares he purchased during his lifetime are morefully described in Schedule 1 of the petition. The petitioners seek a Succession Certificate for the securities left by the deceased K.Sabapathi. A consent affidavit has been filed by the 2nd petitioner, Ashwin, son of K.Sabapathi consenting to the grant of the Succession Certificate in favour of the 1st petitioner, Mrs.P.R.Geetha, wife of K.Sabapathi.

3. To prove their entitlement, the 1st petitioner has mounted the witness box filed a proof affidavit and marked the following documents.

<i>Exhibits</i>	<i>Documents</i>
Ex.P.1	Computer generated death certificate of Mr.K.Sabapathi.
Ex.P.2	Computer generated legal heir ship certificate of Mr.K.Sabapathi
Ex.P.3	(Series 6 sheets) are the online printout of statement of holding issued by National Securities Depository Limited as on 05.07.2024 in respect of shares and securities held by Mr.K.Sabapathi
Ex.P.4	(Series 4 sheets) are the online printout of statement issued by Angel One as on 04.07.2024 in respect of shares and securities held by Mr.K.Sabapathi
Ex.P.5	Photocopy of my Aadhaar Card
Ex.P.6	Copy of the paper publication effected in one issue of Tamil Daily “Makkal Kural” dated 06.10.2024.
Ex.P.7	Certificate under Section 65 B of the Indian Evidence Act, 1872



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4. The paper publication inviting objections from the general public did not result in any objections or caveats being filed.

5. In view of the above facts along with the statements of holdings reflected in Ex.P3 and Ex.P.4 and considering the legal heirs certificate issued by the Tahsildar, this ***Original Petition is hereby Allowed.***

6. The Succession Certificate is granted in favour of the 1st petitioner, enabling her to collect the securities, receive the interest and dividends thereon and negotiate or transfer the securities specified in the schedule hereto. The 1st petitioner is directed to file an inventory of assets within six months and a statement of accounts within one year from the date of issuance of the Succession Certificate.

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Index : Yes/No.
Internet : Yes/No.
Rpl



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Petitioner's witness:

P.W.1—Mrs.P.R.Geetha

Documents marked:

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