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O.P.No.373 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **15.07.2024**

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

O.P. No. 373 of 2023

1.G.Geetha
2.R.Ganapathi
3.R.Arun Ramachandran

... 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 Securities, to receive interest, dividends thereon and negotiate and transfer the securities specified in the schedules hereto.

For Petitioners : Mr.Kumarpal R.Chopra

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 debts in the name of R.Subbalakshmi, mother of the 3 petitioners. She died intestate on 22.03.2018.

2. The father of the petitioners, G.Ramachandran died on 22.11.2013. The nature of the securities had been given in the schedule to the petition. They are terminal share certificates.

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

4. The 1st and 3rd petitioners have given their consent.

5. Taking into consideration the nature of evidence adduced and documents produced, this Original Petition is allowed and succession



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certificate to be issued in the name of the 2nd petitioner with power to collect Securities, receive interest, dividends thereon and negotiate and transfer the securities specified in the schedules 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.R.Ganapathy

Documents marked:

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Computer generated death certificate of Mr.G.Ramachandran.
Ex.P2	Computer generated death certificate of Mrs.R.Subbalakshmi.
Ex.P3	Legal heir certificate of Mrs.R.Subbalakshmi.
Ex.P4	Photocopy of the NSDL consolidated account statement in respect of Mrs.R.Subbalakshmi for the period from 01.11.2021 to 30.11.2021.



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<i>Exhibits</i>	<i>Documents</i>
Ex.P5	Certificate under Section 65B of the Indian Evidence Act, 1872 in respect of Exs.P1 and P2.
Ex.P6	Copy of the paper publication effected in one issue of Tamil Daily “Makkal Kural” dated 31.08.2023.

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C.V.KARTHIKEYAN,J.

Gsa

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