



O.P.No.143 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 21.12.2024

Coram:

THE HONOURABLE Dr. JUSTICE G.JAYACHANDRAN

Original Petition No.143 of 2024

Mr.Nayan M Jain

... Petitioner

Vs.

1.Mrs.Bhawari M Jain

2.Ms.Krishi Jain

3.Mrs.Panku Bai Jain

... Respondents

Prayer: Original Petition has been filed under Sections 372 of Indian Succession Act at XXXIX of 1925 read with Order XXV Rule 6 of Original Side Rules that pleased to grant succession certificate to the petitioner with power to collect debts and to receive the interest specified in the Schedule hereto.

For Petitioner : M/s.S.Priyanka

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 for issuance of



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succession certificate to the petitioner with power to collect debts and to receive the interest of Mukesh K Jain as specified in the Schedule hereto.

2. During his life time, the said Mukesh K Jain maintained a provident fund account with the postal department and died intestate on 08.09.2022, leaving behind his wife, son, daughter and mother as his legal heirs. The petitioner before this Court is the son, while the other legal heirs are named as respondents. For the grant of a Succession Certificate in favour of the petitioner, the other legal heirs, who are arrayed as respondents, have given their consent.

3. To prove his entitlement, the 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.Mukesh K.Jain
Ex.P.2	Computer generated legal heir ship certificate of Mr.Mukesh K.Jain
Ex.P.3	Photocopy of the post office provident fund passbook bearing A/c.No.2731775608 standing in the name of Mr.Mukesh K.Jain
Ex.P.4	Photocopy of my Aadhaar Card
Ex.P.5	Photocopy of the Aadhaar Card of the first respondent
Ex.P.6	Photocopy of the Aadhaar Card of the second respondent
Ex.P.7	Photocopy of the Aadhaar Card of the third respondent
Ex.P.8	Copy of the paper publication effected in one issue of Tamil Daily “Makkal Kural” dated 23.07.2024.



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<i>Exhibits</i>	<i>Documents</i>
Ex.P9	Certificate under Section 65 B of the Indian Evidence Act, 1872.

4. From the above documents, it is established that Mukesh K Jain, the father of the petitioner, held accounts in the postal department with Account No.1033922-2731775608 at the Sowcarpet Branch, Chennai. Mukesh K Jain died on 08.09.2022, leaving the petitioner and respondents as his legal heirs. Since Mukesh K Jain died intestate and without appointing any nominee for the accounts, the present petition has been filed seeking a Succession Certificate.

5. The petitioner having proved his case through the exhibits, a succession certificate is granted in favour of the petitioner in the matter of Mukesh K Jain, who died on 08.09.2022. This certificate is granted as the other legal heirs have given their consent and no objections were raised in response to the paper publication inviting objections for the grant of the succession certificate.

6. Accordingly, this ***Original Petition stands Allowed.*** The Succession Certificate is issued in favour of the petitioner to enable him to collect the securities and to receive the interest, dividends on and negotiate and transfer the securities specified in the schedule hereto. The petitioner is directed to file an



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inventory of assets and statement of accounts within a period of six months and

one year respectively.

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Index : Yes/No.

Internet : Yes/No.

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Petitioner's witness:

P.W.1 –Nayan M Jain

Documents marked:

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