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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 03.02.2025

CORAM:

THE HONOURABLE MR. JUSTICE K.KUMARESH BABU

Original Petition No.480 of 2024

1. Vijayalakshmi Kandaswamy
2. Krishnaswami Sethuraman
3. Radha Sundaram

... Petitioners

Prayer:- This Original Petition has been filed under Section 372 of Indian Succession Act (39) of 1925 r/w order XXV Rule 6 of the Original Side Rules to grant Succession Certificate to the 1st petitioner with powers to collect the securities and to receive the interest and dividends thereon and negotiate and transfer the securities specified in the Schedule hereunder.

For petitioners : M/s.T.K.S.Bharathy Shri

ORDER

The petitioners seek Succession Certificate in respect of the securities held by Late Rukmani Krishnaswami, who died intestate on 06.12.2002. The first and third petitioners are the daughter and the second petitioner is the son of the deceased.



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2. The 1st petitioner has been examined as PW1. She has produced the photocopy of the death certificates of the deceased Rukmani Krishnaswami and late.Krishnaswami Pillai, who is the predeceased husband of the deceased as Ex.P1 and Ex.P3 respectively, and the legal heirship certificate of the deceased as Ex.P2. A perusal of Ex.P2 shows that the petitioners are the only legal heirs of the deceased Rukmani Krishnaswami. The consent affidavit of the second and third petitioners to grant succession in favour of the first petitioner has been marked as Ex.P7 and Ex.P8 respectively. A paper publication has been made and no objections have been received.

3. In view of the above evidence, the Original Petition is allowed granting Succession Certificate in favour of the first petitioner, in respect of the securities mentioned in the schedule to the petition.

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Internet : Yes / No

Index : Yes / No



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Petitioner's witness:

P.W.1 – Mrs.Vijayalakshmi Kandaswamy

Documents marked:

<i>Exhibits</i>	<i>Documents</i>
Ex.P.1	Photocopy of the Death Certificate of Rukmani Krishnaswamy wife of Krishnaswami Pillai dated 06.12.2002.
Ex.P.2	Photocopy of the legal heirship certificate of Rukmani Krishnaswamy dated 03.09.2003 (compared with original)
Ex.P.3	Photocopy of the Death Certificate of Krishnaswami Pillai dated 20.09.1996
Ex.P.4	Photocopy of the Aadhaar Card of the first petitioner (compared with original)
Ex.P.5	Linkintime letter to first petitioner regarding transmission of shares dated 26.08.2023
Ex.P.6	Paper publication in Makkal Kural dated 15.10.2024
Ex.P.7	Consent affidavit of the 2 nd petitioner.
Ex.P.8	Consent affidavit of the 3 rd petitioner.

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K. KUMARESH BABU, J.

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