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O.P.No.91 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **30.07.2025**

CORAM

THE HONOURABLE **MR.JUSTICE K.KUMARESH BABU**

O.P.No.91 of 2025

1.Sonal.J.Davey
2.Khushali.J.Davey
3.Yash.J.Davey

...Petitioners

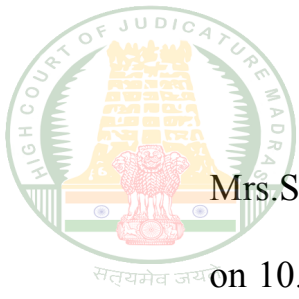
PRAYER: Original Petition filed under Section 372 of the Indian Succession Act XXXIX of 1925 read with Order XXV Rule 6 of the Madras High Court Original Side Rules, praying that a Succession Certificate may be granted to the 1st petitioner with the power to collect the securities and receive interest, dividends and thereon and negotiate and transfer the securities as listed out in the schedule.

For Petitioners : M/s.Vidya Chetan

ORDER

The petitioners seek Succession Certificate in favour of the 1st petitioner in respect of the securities held by Mr.Jatin B.Davey, who died intestate on 30.09.2023.

2. The petitioners submit that the deceased was married to the 1st petitioner and the couple had begotten the petitioners 2 and 3 as their children. The petitioners further submit that the mother of the deceased

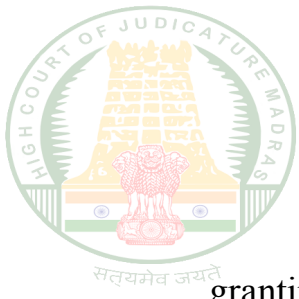


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Mrs.Sarita B.Davey had already predeceased her son Late.Mr.Jatin B.Davey on 10.09.2015. The petitioners contend that though the father of the deceased Mr.Bhanuprasad C.Davey is named as one of the legal heir, he does not classify under the Class-I legal heirs, therefore the petitioners contends that they are the only Class-I Legal Heirs of the deceased. The petitioners 2 and 3 have expressed their consent to grant the Succession Certificate in favour of the 1st petitioner and their respective consent affidavits were also filed.

3. The first petitioner has been examined as PW1, she had produced 10 documents to support his deposition, which are listed as Ex.P1 to Ex.P10 at the foot of the order. The printouts of the death certificates of the deceased and his mother has been marked as Ex.P2 and Ex.P4. The printout of the legal heirship certificate of the deceased has been marked as Ex.P3. A perusal of the Ex.P3 proves that the petitioners 1 to 3 are the legal heirs of the deceased. The general paper publication has been effected which has been marked as Ex.P9 and no objections have been received for the same.

4. The assertions in the petition have been duly proved by adducing oral evidence supported by documents. In these circumstances, the 1st petitioner is entitled to the relief.



5. In view of the above evidence, the Original Petition is allowed granting Succession Certificate in favour of the 1st petitioner, with the power to collect the securities and receive the interest and dividends thereon and negotiate and transfer the securities mentioned in the schedule to the petition.

30.07.2025

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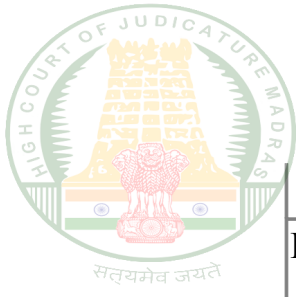
Index :Yes/No

Petitioner's witness:

P.W.1 – Mrs.Sonal J.Davey

Documents exhibited by the petitioners:

Exhibits	Documents
Ex.P1	Printout of the equity shares dated 07.01.2025.
Ex.P2	Printout of the death certificate of Jatin B.Davey who died on 30.09.2023.
Ex.P3	Printout of the legal heir certificate of Jatin B.Davey issued on 22.02.2024.
Ex.P4	Printout of the death certificate of Sarita B Davey mother of Late Jatin B Davey who died on 10.09.2015.
Ex.P5	Photocopy of the Aadhaar card of the 1 st petitioner.(Original is produced, compared and returned to the petitioner's counsel)
Ex.P6	Photocopy of the PAN card of the 1 st petitioner.(Original is produced, compared and returned to the petitioner's counsel)
Ex.P7	Photocopy of the Aadhaar Card of the 2 nd petitioner.(Original is produced, compared and returned to



WEB COPY

O.P.No.91 of



	the petitioner's counsel)
Ex.P8	Photocopy of the Aadhaar Card of the 3 rd petitioner.(Original is produced, compared and returned to the petitioner's counsel)
Ex.P9	One issue of paper publication in Tamil Daily “Malai Malar” dated 22.04.2025.
Ex.P10	Certificate under Section 65 B of Indian Evidence Act filed for Exs.P1 to P4.
	The consent affidavits of the 1 st and 2 nd petitioner are filed to grant succession certificate to the 1 st petitioner, their mother Mrs.Sonal J Davey.

30.07.2025

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WEB COPY

O.P.No.91 of



K.KUMARESH BABU, J.

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O.P.No.91 of 2025

30.07.2025