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O.P.No.107 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **29.07.2025**

CORAM

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

O.P.No.107 of 2025

- 1.Mrs.Asha Sharma P.
- 2.Mrs.Rupa Mahendra Kapadia
- 3.Mrs.Shweta Swali
- 4.Mr.Mihir Pratap Asher

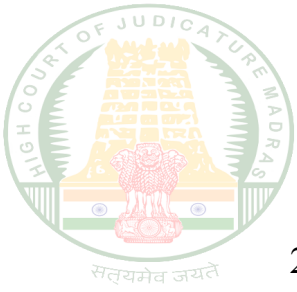
...Petitioners

PRAYER: Original Petition filed under Section 372 of Indian Succession Act 1925 read with Order XXV Rule 6 of the Madras Original Side Rules, prays that a Succession Certificate may be granted to the Fourth petitioner, Mihir Pratap Asher with power to collect the securities and to receive the interest and dividends on and negotiate and transfer the securities specified in the Scheduled hereto.

For Petitioners : Mr.G.Balasubramanian
For M/s.Leela & Co.

ORDER

The petitioners seek Succession Certificate in favour of the 4th petitioner in respect of the securities held by Mrs.Vasant P.Asher, who died intestate on 27.06.2013. The petitioners are the children of the deceased. The petitioners submits that the parents and the husband of the above said deceased Late.Mrs.Vasant P.Asher had already predeceased her, leaving behind the petitioners as the only legal heirs of the deceased.



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2. The fourth petitioner has been examined as PW1, he has produced 7 documents to support his deposition which are listed as Ex.P1 to Ex.P4 and Ex.C1 to Ex.C3 at the foot of the order. The computer generated legal heir certificate of the deceased has been marked as Ex.P2. The computer generated death certificate of the deceased has been marked as Ex.P1. The photocopy of the Aadhar card of the 4th petitioner has been marked as Ex.P3. The Ex.P2 substantiates that the petitioners 1 to 4 are the only legal heirs of the deceased. The general paper publications had been effected and no objections have been received for the same.

3. The petitioners 1 to 3 have expressed their consent to grant the succession certificate in favour of the 4th petitioner and their respective consent affidavits have been marked as Ex.C1 to Ex.C3.

4. The assertions in the petition have been duly proved by adducing oral evidence supported by documents. In these circumstances, the 4th 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 4th petitioner, with the power



to collect the securities and receive the interest and dividends on and
negotiate and transfer the securities specified in the schedule to the petition.

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Index :Yes/No

Petitioner's witness:

P.W.1 – Mr.Mihir Pratap Asher

Documents exhibited by the petitioners:

Exhibits	Documents
Ex.P1	Computer generated death certificate of Mrs.Vasant P Asher (died on 27.06.2013) dated 29.06.2013.
Ex.P2	Computer generated legal heir certificate of Mrs.Vasant P Asher dated 15.05.2019.
Ex.P3	Photocopy of the Aadhaar card of Mr.Mihir Pratap Asher. (Compared with original and returned)
Ex.P4	Downloaded copy of the letter which confirms the Share certificate issued by Kfin Technology Limited dated 30.05.2024.
Ex.C1	Consent affidavit of 1 st petitioner Asha Sharma.
Ex.C2	Consent affidavit of 2 nd petitioner Mrs.Rupa Mahendra Kapadia.
Ex.C3	Consent affidavit of 3 rd petitioner Mrs.Shweta Swali.
	Certificate filed under Section 63 of BSA Act, 1872.

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