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O.P.No.697 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **21.02.2025**

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

O.P.No.697 of 2023

1.Prashanth Kumar
2.Kavya Premkumar

...Petitioners

PRAYER: Original Petition filed under Section 372 of Indian Succession Act for Succession Certificate read with Order XXV Rule 6 of Original Side Rules, prays that this Hon'ble Court may be pleased to grant a Succession Certificate to the petitioners with power to collect the debts and to receive the interest as specified in the schedule hereto; and pass such other further orders as the Court may deem fit and necessary and thus render justice.

For Petitioners : Mr.Ashwin Shanbhag

ORDER

The petitioner seeks Succession Certificate in respect of the securities held by Late Sujatha Premkumar, who died intestate on 18.10.2022. The petitioners are the children of the deceased. The husband also died with the deceased in a helicopter crash. The petitioners are only the surviving legal heir of the deceased.



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2. The first petitioner has been examined as PW1. He has produced the death certificate of the deceased as Ex.P1. The legal heir certificate of the deceased as Ex.P2. The PAN Card of the petitioners were marked as Ex.P3 and Ex.P18. The Aadhar of the first petitioner as Ex.4. A perusal of ExP2 and Ex.P2, P3 and P18, shows that the deceased and his wife have two children who are the petitioners. The petitioners are the only surviving legal heir of the deceased. A paper publication has been made and no objections have been received.

3.The assertions in the petition have been duly proved by adducing oral evidence supported by documents. In these circumstances, the petitioners are entitled to the relief.

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

21.02.2025

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Index :Yes/No

Petitioner's witness:

P.W.1 - M.Prashanth Kumar

P.W.2 – Ms.Kavya Premkumar



Documents exhibited by the petitioners:

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Original death certificate of Mrs.Sujatha Premkumar.
Ex.P2	Computer generated legal heir ship certificate of Mrs.Sujatha Premkumar.
Ex.P3	Photocopy of my Pan Card (Compared with the original)
Ex.P4	Photocopy of my Aadhaar Card (Compared with the original)
Ex.P5	Photocopy of the Aadhaar Card of Mrs.Sujatha Premkumar (Compared with the original)
Ex.P6	Original account statement for period 01.04.2022 to 03.09.2023 bearing A/c.No.10181358497 issued by State Bank of India standing in the name of Mrs.Sujatha Premkumar.
Ex.P7	Photocopy of the public provident fund account passbook with State Bank of India bearing A/c.No.10181358497 standing in the name of Mrs.Sujatha Premkumar (Compared with the original)
Ex.P8	Original report of customer wise balance as on 04.07.2023 issued by State Bank of India standing in the name of Mrs.Sujatha Premkumar.
Ex.P9	Photocopy of the first page of SBI Passbook bearing A/c.No.37328749386 standing in the name of Mrs.Sujatha Premkumar (Compared with the original)
Ex.P10	Computer generated statement of ICICI Bank as on 30.11.2022 standing in the name of Mrs.Sujatha Premkumar.
Ex.P11	Computer generated FD account summary bearing No.039513000635 of ICICI Bank standing in the name of Mrs.Sujatha Premkumar.
Ex.P12	Computer generated FD account statement of ICICI Bank in respect of the joint account held by Mr.V.Premkumar and Mrs.Sujatha Premkumar.
Ex.P13	Computer generated savings account statement of ICICI Bank



<i>Exhibits</i>	<i>Documents</i>
	in respect of the joint account held by Mr.V.Premkumar and Mrs.Sujatha Premkumar.
Ex.P14	Photocopy of the front page of SBI Bank account passbook bearing No.10326176925 in respect of the joint account held by Mr.V.Premkumar and Mrs.Sujatha Premkumar (Compared with the original)
Ex.P15	Photocopy of the fixed deposit receipt dated 24.12.2020 of State Bank of India stand in the name of Mr.Premkumar and Mrs.Sujatha Premkumar (Compared with the original)
Ex.P16	Copy of the paper publication effected in one issue of Tamil Daily “Makkal Kural” dated 23.12.2023.
Ex.P17	Affidavit under Section 65 B of the Indian Evidence Act, 1872.
Ex.P18	Photocopy of my Pan Card (Compared with the original)
Ex.P19	Photocopy of my Passport (Compared with the original)

21.02.2025

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