



WEB COPY

O.P.No.698 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.698 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 Petitioner : Mr.Ashwin Shanbhag

**ORDER**

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

2. The first petitioner has been examined as PW1. He has produced the original 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.P4. The Aadhar of the first petitioner as Ex.P5. A perusal of Ex.P2, P3, P4 and P5, 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 petitioner is 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 - Mr.Prashanth Kumar

Documents exhibited by the petitioners:

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Original death certificate of Mr.V.Premkumar.
Ex.P2	Computer generated legal heir ship certificate of Mr.Premkumar.
Ex.P3	Photocopy of my Pan Card (Compared with the original)
Ex.P4	Photocopy of the Pan Card of the second petitioner (Compared with the original)
Ex.P5	Photocopy of my Aadhaar Card (Compared with the original)
Ex.P6	Photocopy of the Passport of the second petitioner (Compared with the original)
Ex.P7	Photocopy of the Aadhaar Card of Mr.V.Premkumar (Compared with the original)
Ex.P8	Photocopy of the post office PPF passbook bearing A/c.No.020001874811 standing in the name of Mr.V.Premkumar (Compared with the original)
Ex.P9	Photocopy of the post office passbook bearing A/c.No.4859390336 standing in the name of Mr.V.Premkumar (Compared with the original)



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<i>Exhibits</i>	<i>Documents</i>
Ex.P10	Photocopy of the first page of SBI provident fund account passbook account statement bearing A/c.No.10181358486 standing in the name of Mr.V.Premkumar along with the computer generated account statement from 01.04.2022 to 09.03.2023 (Compared with the original)
Ex.P11	Photocopy of the fixed deposit receipt dated 05.11.2018 of State Bank of India stand in the name of Mr.Premkumar (Compared with the original)
Ex.P12	Copy of the paper publication effected in one issue of Tamil Daily “Makkal Kural” dated 23.12.2023.
Ex.P13	Affidavit under Section 65 B of the Indian Evidence Act, 1872.

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