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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **23.07.2025**

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

O.P.No.128 of 2025

R.Avyakt Vignesh …Petitioner

PRAYER: Original Petition filed under Sections 372 Part X, Indian Succession Act, 1925 and under Order XXV Rule 6 of the Original Side Rules of the High Court of Judicature at Madras, praying that a Succession Certificate may be granted to the petitioner with power to collect the debts and to receive the interest and dividends on and negotiate and transfer the securities specified in the Schedule.

For Petitioner : Mr.K.Balamurali
for M/s.Shivakumar & Suresh

ORDER

The petitioner seeks Succession Certificate in respect of the debts held by Late D.Rajeshwaran, who died intestate on 14.05.2024. The petitioner is the adopted son of the deceased. The deceased and his wife had no issues. Hence, the petitioner was adopted by the deceased and his wife through an order of the Principal Sessions Judge, Chennai in O.P.No.52 of 2009 dated 18.04.2009. The wife of the deceased died on 23.06.2021.

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2. The petitioner has examined himself as PW1. He has produced the death certificates of the deceased and his wife as Ex.P1 and Ex.P3. The legal heirship certificates of the deceased and his wife as Ex.P2 and Ex.P4. The birth certificate of the petitioner as Ex.P5. To substantiate the adoption of the petitioner by the deceased and his wife, the registered adoption deed and order in Adoption O.P.No.52 of 2009 as Ex.P8 and Ex.P7. A perusal of Ex.P2, shows that the petitioner is the only surviving legal heir of the deceased. Ex.P5, shows that the deceased and his wife are the adoptive parents of the petitioner. A paper publication has been made and marked as Ex.C1. No objection was received from any person.

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 petitioner, with the power to collect the debts and receive the interest and dividends thereon and negotiate

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and transfer the securities mentioned in the schedule to the petition.

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Index :Yes/No

Petitioner's witness:
P.W.1 – Mr.R.Avyakt Vignesh

Documents exhibited by the petitioners:

Exhibits	Documents
Ex.P1	Online copy of the death certificate of D.Rajeshwaran (Date of death 14.05.2024) dated 01.06.2024.
Ex.P2	Online copy of the legal heirship certificate of D.Rajeshwaran, dated 24.10.2024.
Ex.P3	Online copy of the death certificate of R.Ragasuda (Date of death 23.06.2021) dated 05.07.2021.
Ex.P4	Online copy of the legal heirship certificate of R.Ragasuda, dated 06.01.2025.
Ex.P5	Online copy of the birth certificate of R.Avyakt Vignesh (date of birth 05.10.2006) dated 05.10.2024.
Ex.P6	Photocopy of the aadhar card of R.Avyakt Vignesh (Original produced, verified and returned)
Ex.P7	Photocopy of the order in adoption O.P.No.52 of 2009 passed by the Principal Session Judge, Chennai, dated 18.04.2009.
Ex.P8	Photocopy of the registered adoption deed by D.Rajeshwaran and R.Ragasuda dated 11.05.2009.(Original produced, verified and returned)
Ex.P9	Photocopy of the letter from the RBL Bank, dated 27.12.2024.

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Ex.P10	Photocopy of the bank statement issued by RBL Bank, in respect of EOS account standing in the name of the deceased D.Rajeshwaran dated 20.01.2025.(Original produced, verified and returned)
Ex.P11	Affidavit of valuation of assets.
Ex.C1	Paper publication of the Tamil Edition “Makkal Kural” dated 17.06.2025.

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