



WEB COPY

O.P.No.364 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **08.04.2025**

CORAM

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

O.P.No.364 of 2024

1.M.Lalitha

2.M.Ramya

3.M.Janaranjani

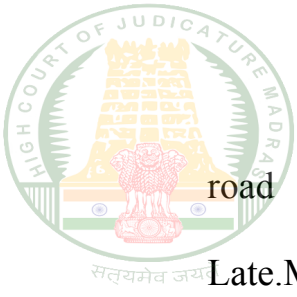
...Petitioners

PRAYER: Original Petition filed under Section 372 of the Indian Succession Act 1925 and read with Order XXV Rule 6 of the Original Side Rules 1956 High Court, Madras, prays that this Succession Certificate may be granted to the petitioner with power to collect the debts and receive the interest and dividends and negotiate and transfer the securities specified in the schedule hereto.

For Petitioners : Mr.M.Vijayakumar

ORDER

The petitioners seek Succession Certificate in respect of the securities held by Late.N.Balaji, who died intestate on 23.07.2019. The petitioners are the sister-in-law and nieces to the testator through his deceased brother Late.N.Muthukrishnan. The petitioners state that the deceased testator Late.Mr.N.Balaji and his brother Late.Mr.N.Muthukrishnan both died in a



road accident on 23.07.2019. They further submit that the deceased Late.Mr.N.Balaji had obtained a Motor Insurance Policy No. MOP5589276006100 and had insured his vehicle. The deceased has named his brother Late.Mr.N.Muthukrishnan as the nominee of the policy, but the above said nominee died in the same accident. The petitioners submit that the deceased Late.Mr.N.Balaji was married to one Ms.S.R.Ramani @ Ramathilagam and the marriage was dissolved under F.C.O.P.No.158/2015 vide order dated 13.10.2017, the couple did not have any issues in duration of marriage.

2. The first petitioner has been examined as PW1. She has produced the computer generated death certificates of the deceased Late.Mr.N.Balaji and his brother Late.Mr.N.Muthukrishnan as Ex.P6 and Ex.P3. The photocopy of the Insurance Certificate cum Policy has been marked as Ex.P1. The legal heirship certificate of the Late.Mr.N.Muthukrishnan the brother of the deceased has been marked as Ex.P4. The photocopy of the judgement dated 13.10.2017 in F.C.O.P.No.158/2015 passed by the Family Court of Vellore has been marked as Ex.P14. From Ex.P1 it can be deduced that the deceased Late.Mr.N.Balaji had named his brother Late.Mr.N.Muthukrishnan as the



nominee to his insurance policy, Motor Insurance Policy

No.MOP5589276006100. On perusal of Ex.P4 its clear that the petitioners

are the only surviving legal heirs of Late.Mr.N.Muthukrishnan the nominee.

A paper publication has been made which is marked as Ex.P15 and no objections have been received for the same.

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, with the power to collect the debts and receive the interest and dividends and negotiate and transfer the securities mentioned in the schedule to the petition.

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Index :Yes/No

Petitioner's witness:

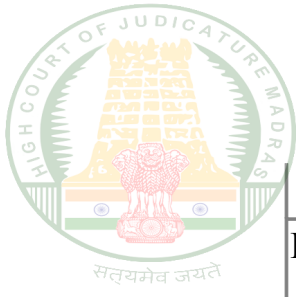
P.W.1 – Mrs.M.Lalitha



Documents exhibited by the petitioners:

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Exhibits	Documents
Ex.P1	Photocopy of the Royal Sundaram General Insurance Ltd certificate cum policy schedule dated 10.05.2019 stands in the name of Mr.N.Balaji. (Compared with the original)
Ex.P2	Photocopy of the driving licence of Mr.N.Muthukrishnan. (Compared with the original)
Ex.P3	Computer generated death certificate of Mr.N.Muthukrishnan.
Ex.P4	Computer generated legal heirship certificate of Mr.N.Muthukrishnan.
Ex.P5	Photocopy of the Aadhar card of Mr.N.Muthukrishnan. (Compared with the original)
Ex.P6	Computer generated death certificate of Mr.N.Balaji.
Ex.P7	Certified copy of the FIR bearing No.96/2019 dated 24.07.2019 registered as Nagari Urban Police Station, Chittoor District, Andhra Pradesh.
Ex.P8	Certified copy of the post mortem report of Mr.N.Muthukrishnan.
Ex.P9	Photocopy of the letter dated 08.09.2020 addressed to me by Royal Sundaram General Insurance Co Ltd., (Compared with the original)
Ex.P10	Photocopy of the Aadhar card of Mr.N.Balaji. (Compared with the original)
Ex.P11	Photocopy of my Aadhar Card (Compared with the original)
Ex.P12	Photocopy of the Aadhar card of the 2 nd petitioner (Compared with the original)
Ex.P13	Photocopy of the Aadhar card of the 3 rd petitioner (Compared with the original)
Ex.P14	Photocopy of the decree dated 13.10.2017 in F.C.O.P.No.158/2015 passed by the Family Court,



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	Vellore.(Compared with the original)
Ex.P15	Photocopy of the paper publication effected in one issue of Tamil Daily “Makkal Kural” dated 03.09.2024.
Ex.P16	Certificate under 63 of BSA.
Ex.P17	Certified copy of the evidence of Mrs.S.R.Ramani @ Ramathilagam deposited in FCOP.No.158/2015 before the Family Court, Vellore.
Ex.P18	Certified copy of the evidence of Mr.N.Balaji deposed in FCOP No.158/2015 before the Family Court, Vellore.
Ex.P19	Certified copy of the judgment dated 13.10.2017 in FCOP No.158/2015 passed by the Family Court, Vellore.

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