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O.P.No.284 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **04.04.2025**

CORAM

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

O.P.No.284 of 2024

Mr.Mohammed Asif Mubeenuddin

...Petitioner

VS.

Mrs.Jabeen Sheriff

...Respondent

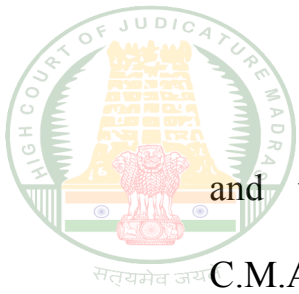
PRAYER: Original Petition filed under Section 372 of the Indian Succession Act XXXIX of 1925 read with Order XXV Rule 6 of Original Side Rules, prays that this Hon'ble Court that a Succession Certificate may be granted to the petitioner with power to collect the debts and to receive interest and dividends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

For Petitioner : Mr.M.Aravind Subramaniam (Senior counsel)
For Mr.Mohamed Sajia

For Respondent : No appearance

ORDER

The petitioner seek Succession Certificate in respect of the securities held by Late C.M. Anwaruddin and Fakerunissa Anwar, who died intestate on 15.08.1997 and 21.10.2020. The petitioner and the respondent are the son



and the daughter of the deceased persons. Though the deceased C.M.Anwaruddin executed a will dated 30.04.1993, excluded the 965 shares of Alkyl Amines Chemicals Ltds, which is the subject matter of the present original petition. The respondent filed vakalath through counsel and remained absent throughout the proceeding.

2. The petitioner has examined himself as PW1. He has produced the death certificates of the deceased C.M. Anwaruddin and Fakerunissa Anwar as Ex.P1 and Ex.P2. The legal heirship certificate of the deceased Fakerunissa Anwar as Ex.P3, shows that the petitioner and the respondent are the only legal heirs of the deceased Fakerunissa Anwar and the husband of deceased Fakerunissa Anwar, C.M. Anwaruddin predeceased her. A paper publication has been made and marked as Ex.P9. No objections have been received from any person. The consent affidavit of the respondent was filed by the counsel for the petitioner. (No facts about the will probate and will was not produced)

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.



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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 securities and receive the interest and dividends mentioned in the schedule to the petition.

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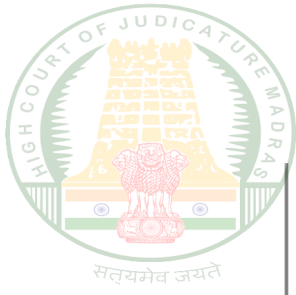
Index :Yes/No

Petitioner's witness:

P.W.1 – Mr.Mohammed Asif Mubeenuddin

Documents exhibited by the petitioners:

Exhibits	Documents
Ex.P1	Photocopy of the death certificate of Mr.C.M.Anwaruddin (Pursuant to the order dated 20.03.2025 in A.No.1140/2025, this document is marked)
Ex.P2	Computer generated death certificate of Mrs.Fakerunissa Anwar.
Ex.P3	Computer generated legal heirship certificate of Mrs.Fakerunissa Anwar.
Ex.P4	Photocopy of my Aadhar Card(Compared with the original)
Ex.P5	Photocopy of the request letter dated 26.06.2023 sent by me to Link Intime Pvt Ltd, asking for the status of the holding and Duplicate certificate for the shares and for the procedure of transmission of the shares held by Mr.Anwaruddin Chittoor Mohammed.
Ex.P6	Photocopy of the reply letter dated 26.7.2023 sent by Link



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	Intime India Pvt Ltd., to me for Ex.P5 (Pursuant to the order dated 20.03.2025 in A.No.1140/2025, this document is marked)
Ex.P7	Photocopy of the reply letter dated 21.07.2023 addressed to my mother Mrs.Fakerunissa Anwar from Canbank Computer Services Ltd regarding change of address in respect of the securities held by her (Pursuant to the order dated 20.03.2025 in A.No.1140/2025, this document is marked.)
Ex.P8	Affidavit under Section 65 B of the Indian Evidence Act, 1872.
Ex.P9	Copy of paper publication effected in one issue of Tamil daily “Makkal Kural” dated 09.12.2024.

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