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O.P.No.390 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **12.03.2025**

CORAM

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

O.P.No.390 of 2024

1.Anitha Gokulakrishnan
2.Sumeetha Pratap

...Petitioners

PRAYER: Original Petition filed under Sections 372 of the Indian Succession Act in respect of certain debts belonging to the deceased S Sukumaran & S.Vijayalakshmi under Part X of the Indian Succession Act, 1925 (Act 39 of 1925): Read with Order XXV Rule 6 of O.S.Rules, praying to grant the Succession Certificate to the first petitioner, i.e., Anitha Gokulakrishnan, with power to collect the debt and to receive the interest and negotiate transfer of the debt and pass such further or other orders as may be deemed fit and proper in the circumstances of the case and thus render justice.

For Petitioners : Mr.M.V.Vijaya Baskar

ORDER

The petitioners seek Succession Certificate in favour of first petitioner in respect of the securities held by Late S.Sukumaran and S.Vijayalakshmi, who died intestate on 29.09.2021 and 11.06.2020. The petitioners are the daughters of the deceased persons.



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2. The first petitioner has been examined as PW1. She has produced the computer generated death certificates of the deceased persons as Ex.P1 and Ex.P2. The legal heirship certificates of the deceased S.Sukumaran and S.Vijayalakshmi as Ex.P3 and Ex.P12. The consent affidavit of second petitioner as Ex.P13. A perusal of Ex.P3 and Ex.12 shows that the petitioners are the only surviving legal heirs of the deceased persons. 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 first 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:**

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P.W.1 – Mrs.Anitha Gokulakrishnan

Documents exhibited by the petitioners:

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Computer generated death certificate of Mrs.Vijayalakshmi.
Ex.P2	Computer generated death certificate of Mr.Sukumaran.
Ex.P3	Computer generated legal heir certificate of Mr.Sukumaran.
Ex.P4	Photocopy of the Aadhar card of Mr.Sukumaran (Compared with the original)
Ex.P5	Photocopy of my Aadhar Card (Compared with the original)
Ex.P6	Photocopy of the Aadhar card of 2 nd petitioner (Compared with the original)
Ex.P7	Photocopy of my PAN Card (Compared with the original)
Ex.P8	Photocopy of the PAN card of 2 nd petitioner (Compared with the original)
Ex.P9	Photocopy of the post office savings account pass book bearing Account No.4648508713 jointly held by Mr.S.Sukumaran and Mrs.Vijayalakshmi (Compared with the original)
Ex.P10	Photocopy of the post office senior citizens savings account pass book bearing Account No.4653969523 jointly held by Mr.S.Sukumaran and Mrs.Vijayalakshmi (Compared with the original)
Ex.P11	Photocopy of the post office senior citizens savings account pass book bearing Account No.4653961015 jointly held by Mr.S.Sukumaran and Mrs.Vijayalakshmi (Compared with the original)
Ex.P12	Computer generated legal heirship certificate of Mrs.S.Vijayalakshmi.
Ex.P13	Consent affidavit given by the 2 nd petitioner.
Ex.P14	Certificate under Section 65 B of the Indian Evidence Act, 1872.



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<i>Exhibits</i>	<i>Documents</i>
Ex.P15	Copy of paper publication effected in one issue of Tamil daily "Makkal Kural" dated 14.11.2024.

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