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O.P.No.731 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **25.04.2025**

CORAM

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

O.P.No.731 of 2024

- 1.Mrs.H.Pushpa Bai
- 2.Mrs.S.Susheela
- 3.Mrs.M.Lakshmi
- 4.A.Padam Chand
- 5.A.Dharam Chand
- 6.A.Roop Chand
- 7.M.Chetan

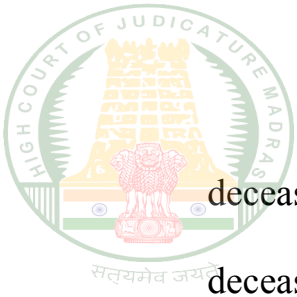
...Petitioners

PRAYER: Original Petition filed under Section 372 of Indian Succession Act read with Order XXV, Rule 6 of Original Side Rules of the Madras High Court, prays this Hon'ble Court that a Succession Certificate may be granted to the 4th petitioner herein with power to collect the debts, securities and to receive interest, dividends thereon and negotiate and transfer the securities specified in the schedule hereto.

For Petitioners : Mr.P.K.Rajesh Praveen Kumar

ORDER

The petitioners seek Succession Certificate in favour of the fourth petitioner in respect of the securities held by Late.Mr.D.Amarchand Baid, who died intestate on 03.06.1996. The petitioners 1 to 6 are children of the



deceased and the 7th petitioner is the grandson of the deceased through his deceased son Late.Mr.A.Mothi Chand.

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2. The fourth petitioner has been examined as PW1. He has produced the photocopy of the death certificates of the deceased Late.Mr.D.Amarchand Baid, daughter of the deceased Late.Mrs.P.Indira Bai and son of the deceased Late.Mr.A.Mothi Chand as Ex.P1, Ex.P4 and Ex.P6. The legal heirship certificates of the deceased Late.Mr.D.Amarchand Baid, his son Late.Mr.A.Mothi Chand and Late.Mrs.Kiran Bai the wife of Late.Mr.A.Mothi Chand have been marked as Ex.P3, Ex.P7 and Ex.P17. The petitioners 1, 2, 3, 5, 6 and 7 have expressed their consent to grant the Succession certificate in favour of the 4th petitioner and their respective consent affidavits have been filed along with the petition. A perusal of Ex.P3 shows that the petitioners 1 to 6 are the only surviving children of the deceased and Ex.P7 shows that the 7th petitioner is the son and the only surviving legal heir of the Late.Mr.A.Mothi Chand who is the deceased son of the Late.Mr.D.Amarchand Baid. A paper publication has been made and no objections have been received.



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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 fourth (4th) petitioner, with the power to collect the securities and receive the interest and dividends and to negotiate and transfer the securities mentioned in the schedule to the petition.

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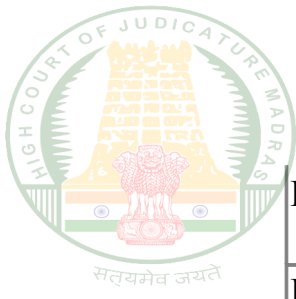
Index :Yes/No

Petitioner's witness:

P.W.1 – Mr.Padam Chand

Documents exhibited by the petitioner:

Exhibits	Documents
Ex.P1	Photocopy of the Death Certificate of D.Amarchand Baid issued in hospital dated 04.06.1996.
Ex.P2	Photocopy of the Death Certificate of D.Amarchand issued by Government of Madhya Pradesh dated 04.06.1996.
Ex.P3	Photocopy of the Legal heir certificate of D.Amarchand Baid dated 19.09.1996.



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Ex.P4	Photocopy of the Death Certificate of P.Indrabai dated 26.10.2015.
Ex.P5	Photocopy of the Death Certificate of Prasan Chand dated 22.01.2016.
Ex.P6	Online copy of the Death Certificate of A.Mothi Chand dated 20.11.2018.
Ex.P7	Online copy of the Legal heirs Certificate of A.Mothi Chand dated 15.05.2019.
Ex.P8	Photocopy of the Aadhar of Pushpa Bai
Ex.P9	Photocopy of the Aadhar of S.Susheela
Ex.P10	Photocopy of the Aadhar of Lakshmi
Ex.P11	Photocopy of the Aadhar of Padam Chand
Ex.P12	Photocopy of the Aadhar of Dharam Chand
Ex.P13	Photocopy of the Aadhar of Roop Chand
Ex.P14	Photocopy of the Aadhar of Chetan
Ex.P15	Series of photocopy of the Reliance Share Certificate (Nos.4)
Ex.P16	Series of photocopy of Dividend Cheque of Reliance Share (Nos.4)
Ex.P17	Online copy of the Death certificate of Kiranbai dated 12.12.2023.

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