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O.P.No.393 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **24.06.2025**

CORAM

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

O.P.No.393 of 2024

1.Mrs.Lalitha Dhamodaraswami

2.Minor.Jaanya Balaji
Rep.by mother Lalitha
S/o.Late.Balaji Solaisamy

3.Minor.Jaideep Balaji
S/o.Late.Balaji Solaisamy
Rep.by mother Lalitha

...Petitioners

vs.

Mrs.S.Deivasigamani

...Respondent

PRAYER: Original Petition filed under Part X Section 372 of the Indian Succession Act 1925 read with Under Order XXV Rule 6 of Original Side Rules, prays that a Succession Certificate may be granted to the 1st petitioner with the power to collect the Debt amount and to receive the interest on and negotiable and transfer the Debt specified in the schedule thereto.

For Petitioner : Mr.P.James Victor Rajkumar

For Respondents : No appearance(Served)

ORDER



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The petitioners seek Succession Certificate in favour of the 1st petitioner respect of the securities held by Late Mr.Balaji Solaisamy, who died intestate on 01.12.2022. The petitioners and the respondent are the legal heirs of the deceased. The 2nd and 3rd petitioners are minors who are represented by their mother, herein the 1st petitioner. The respondent is the mother of the deceased.

2. The first petitioner has been examined as PW1, she has marked 6 documents which are listed as Ex.P1 to Ex.P6 at foot of the order. She had marked computer generated copy of the death certificate of the deceased as Ex.P2. The legal heirship certificate of the deceased is marked as Ex.P3. The consent affidavit by the respondent is marked as Ex.P4. A perusal of Ex.P3 clearly shows that the petitioners 1 to 3 and the respondent are the only legal heir of the deceased. The Ex.P4 shows that the sole respondent has expressed her consent to grant the Succession Certificate in favour of the 1st petitioner for the securities mentioned in the schedule of the petition. The general paper publications had been effected which are marked as Ex.P5 and Ex.P6, for which no objections were received.

3. The assertions in the petition have been duly proved by adducing oral



evidence supported by documents. In these circumstances, the 1st 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 1st petitioner, with the power to collect the debt and securities and receive the interest on and negotiate and transfer the debts/securities mentioned in the schedule to the petition.

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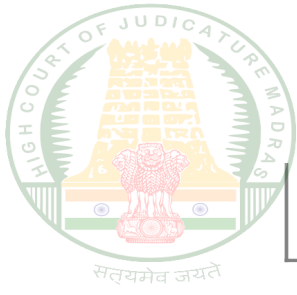
Index :Yes/No

Petitioner's witness:

P.W.1 – Mrs.Lalitha Dhamodaraswami

Documents exhibited by the petitioners:

Exhibits	Documents
Ex.P1	Original statement from ICICI Bank regarding the PPF Credit dated 07.09.2023.
Ex.P2	Computer generated copy of the death certificate of Balaji Solaisamy.
Ex.P3	Computer generated copy of the legal heir certificate of Balaji Solaisamy.
Ex.P4	Consent affidavit filed by the respondent.
Ex.P5	One issue of paper publication in Tamil Daily “Makkal Kural” dated 15.03.2025.
Ex.P6	One issue of Paper publication in English Daily “Trinity Mirror” dated 22.03.2025.



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Certificate under Section 65B of Indian Evidence Act is
filed for Exs.P2 and P3.

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