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O.P.No.187 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **04.04.2025**

CORAM

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

O.P.No.187 of 2024

1.D.Vaseekaran(Minor)
2.D.Varsha(Minor)
3.D.Varshini Shree(Minor)
4.D.Vijayalakshmi
Petitioner's 1 to 3
Represented by the 4th petitioner
Their mother who is the natural guardian
All are residing at
No.22/741, Cross Road, New Washermenpet,
Tondaiarpeta, Chennai – 600 081.

...Petitioners

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

For Petitioners : M/s.A.Salomi

ORDER

The petitioners seek Succession Certificate in favour of the fourth petitioner in respect of the securities held by Late Dhandayuthapani, who



died intestate on 22.02.2022 in an accident. The petitioners are the minor son, minor daughters and wife of the deceased.

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2. The fourth petitioner has been examined as PW1. She has produced the photocopy of the marriage certificate of the fourth petitioner as Ex.P1. The computer generated death certificates of the deceased Dhandayuthapani and his parents as Ex.P10, Ex.P2 and Ex.P6. The computer generated birth certificate of minor son and daughters as Ex.P3 to Ex.P5. On perusal of Ex.P3 to Ex.P5 shows that the petitioners 1 to 3 are minors and represented by their natural guardian mother, the fourth petitioner. The computer generated legal heir ship certificate of deceased as Ex.P11. On perusal of Ex.P11, shows that the petitioners are the only legal heirs of the deceased. A paper publication was made and marked as Ex.P16. No objections have been received from any person.

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.



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4. In view of the above evidence, the Original Petition is allowed granting Succession Certificate in favour of the fourth 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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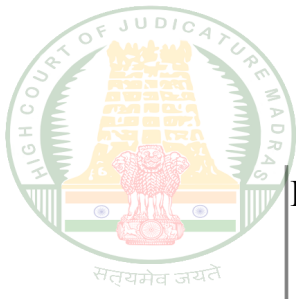
Index :Yes/No

Petitioner's witness:

P.W.1 – Mrs.D.Vijayalakshmi

Documents exhibited by the petitioners:

Exhibits	Documents
Ex.P1	Photocopy of the certificate of registration of marriage (Compared with the original)
Ex.P2	Computer generated death certificate of Mr.V.Arumugam.
Ex.P3	Computer generated birth certificate of minor son D.Vaseekaran.
Ex.P4	Computer generated birth certificate of minor daughter D.Varsha.
Ex.P5	Computer generated birth certificate of minor daughter D.Varshini Shree.
Ex.P6	Computer generated death certificate of Mrs.A.Sulochana.



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Ex.P7	Photocopy of the FIR dated 22.02.2022 in Crime No.65 of 2022 filed before the Achirapakkam, Police Station (Compared with the certified copy issued by the Inspector of Police)
Ex.P8	Photocopy of the post mortem report of Mr.Dhandayuthapani (Compared with the true copy issued by the Medical Officer)
Ex.P9	Photocopy of the death report of deceased Mr.Dhandayuthapani (Compared with the certified copy issued by the Inspector of Police)
Ex.P10	Computer generated death certificate of Mr.Dhandayuthapani.
Ex.P11	Computer generated legal heir ship certificate of Mr.Dhandayuthapani.
Ex.P12	Photocopy of the Aadhaar Card of Mr.Dhandayuthapani (Compared with the original)
Ex.P13	Photocopy of Aadhaar Card (Compared with the original)
Ex.P14	Photocopy of the Driving License of Mr.Dhandayuthapani (Compared with the original)
Ex.P15	(Series 3 Nos) are the LIC Policy bonds standing in the name of Mr.Dhandayuthapani (Witness states that the originals were received by the LIC of India. These documents are marked subject to the proof and relevancy)
Ex.P16	Copy of the paper publication effected in one issue of Tamil Daily “Makkal Kural” dated 27.06.2024.
Ex.P17	Certificate under Section 65 B of the Indian Evidence Act, 1872.

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