



WEB COPY

O.P.No.136 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **28.02.2025**

CORAM

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

O.P.No.136 of 2016

1.M.Jayalatha
2.Major Vikaram
(2nd Petitioner declared as major and 1st petitioner
discharged from guardianship, and the amendment
is carried out as per order dated 10.06.2024 in
A.No.2531 of 2024 and 2532 of 2024 and time
extended by order dated 30.08.2024 in
O.P.No.136/2016)

...Petitioners

vs.

1.S.Rajalakshmi
2.Mr.Kallikudi Karikalan

...Respondents

PRAYER: Original Petition filed for Succession Certificate under Section 372 of Indian Succession Act read with Order XXV Rule 6 of O.S.Rules, prays that a succession certificate may be granted to the petitioners with power to collect the debts and receive interest specified on the Schedule-II hereunder.

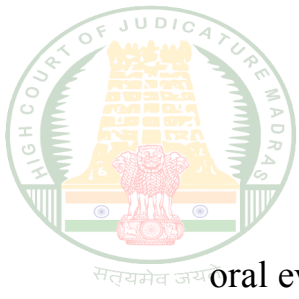
For Petitioners : Mr.S.Balasubramanian

For Respondents : No appearance

**ORDER**

WEB COPY The petitioners seek Succession Certificate in respect of the securities held by Late Kaveriselvan, who died intestate on 10.09.2014. The petitioners are the wife and son of the deceased. The respondents are the parents of the deceased. The second petitioner who was minor at the time of filing a petition, declared major and the first petitioner is discharged from guardianship.

2. The petitioners have appointed one S.Muthiah, who is the father of the first petitioner as general power agent on behalf of the petitioners. The power agent of the petitioner has been examined as PW1. He has produced the death certificate of the deceased as Ex.P1. The legal heir ship certificate of the deceased as Ex.P9. The general power of attorney in favour of S.Muthiah as Ex.P8. A perusal of Ex.P9, it shows that the petitioners and the second respondent are the only legal heirs of the deceased Late Kaveriselvan. A paper publication has been made and no objections have been received. The respondents, inspite of service of notice on them, had kept themselves away from the proceedings.



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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 petitioners, with the power to collect the securities and receive the interest and dividends mentioned in the schedule to the petition.

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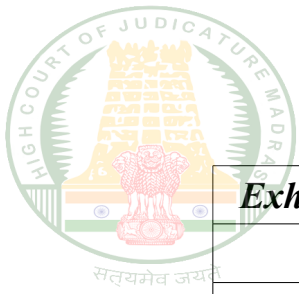
Index :Yes/No

Petitioner's witness:

P.W.1 – S.Muthiah

Documents exhibited by the petitioners:

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Computer generated Death Certificate of Kaveri Selvan dated 13.03.2017.
Ex.P2	Marriage Certificate of the deceased and the 1 st petitioner dated 20.06.2002.
Ex.P3	Voter's Id of the 1 st petitioner.
Ex.P4	Birth Certificate of the 2 nd petitioner dated 26.09.2005.
Ex.P5	Letter from TATA dated 26.08.2019.
Ex.P6	Series of nomination forms (3 Nos.) of deceased in favour of



<i>Exhibits</i>	<i>Documents</i>
	the 1 st petitioner.
Ex.P7	Terminal benefits due letter from TCS dated 27.08.2015.
Ex.P8	Copy of Power of Attorney by petitioner in favour of P.W.1 (Original seen and returned. The Learned Counsel for the petitioner undertake to produce the original before the Court)
Ex.P9	Legal Heir Certificate dated 05.03.2022. (QR Code is available)
Ex.P10	Paper Publication in Tamil dated 23.10.2016.
Ex.P11	Certified copy of the order passed in HMOP.No.490/2013 on I Additional Family Court at Chennai dated 06.11.2015.

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K.KUMARESH BABU, J.



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