



WEB COPY

O.P.No.423 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **24.02.2025**

CORAM

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

O.P.No.423 of 2024

1.Mrs.R.Meenakshi

2.Mrs.R.Muthulakshmi

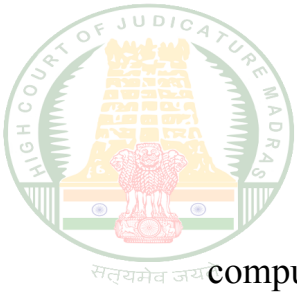
...Petitioners

PRAYER: Original Petition filed under Section 372 of Indian Succession Act read with Order XXV Rule 6 of the O.S.Rules for Succession Certificate under Part X of the Indian Succession Act, prays that a Succession Certificate may be granted to the First Petitioner with power to collect the securities, units, to receive the interest and dividends on and negotiate and transfer/transmission of the securities, units specified in the schedule hereto.

For Petitioners : Mr.J.Radhakrishnan

ORDER

The petitioners seek Succession Certificate in respect of the securities held by Late K.Ramakrishnan, who died intestate on 03.05.2021. The petitioners are the daughters of the deceased. The wife and mother of the deceased predeceased him.



WEB COPY

2. The first petitioner has been examined as PW1. She has produced the computer generated death certificates of Late.K.Ramakrishnan, his mother and his wife as Ex.P4, Ex.P3 and Ex.P1. The legal heirship certificates of the deceased and his wife as Ex.P2 and Ex.P5. A perusal of Ex.P2 and Ex.P5, shows that the petitioners are the only surviving legal heirs of the deceased K.Ramakrishnan. A paper publication has been made and no objections have been received. The learned counsel for the petitioner submitted a consent affidavit of the second petitioner wherein the second petitioner gave no objection to grant succession certificate in favour of the first petitioner.

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.

24.02.2025

kak

Index :Yes/No

Petitioner's witness:

P.W.1 - Mrs.R.Meenakshi



Documents exhibited by the petitioners:

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Photocopy of the death certificate of Mrs.R.Visalakshi (Compared with the original)
Ex.P2	Photocopy of the legal heir ship certificate of Mrs.Visalakshi (Compared with the original)
Ex.P3	Photocopy of the death certificate of Mrs.Muthulakshmi (Compared with the original)
Ex.P4	Computer generated death certificate of Mr.K.Ramakrishnan.
Ex.P5	Computer generated legal heir ship certificate of Mr.Ramakrishnan.
Ex.P6	E-mail communication dated 14.12.2023 requesting for transmission of units invested in Mutual Funds held by my father Mr.K.Ramakrishnan.
Ex.P7	Reply E-mail communication dated 18.12.2023 for Ex.P6.
Ex.P8	E-mail communication dated 19.12.2023 received by me for the production of succession certificate.
Ex.P9	E-mail communication dated 22.03.2024 regarding the details of investment held by my father at Franklin Templeton Investments.
Ex.P10	Certificate under Section 65 B of the Indian Evidence Act, 1872.
Ex.P11	Copy of the paper publication effected in one issue of Tamil Daily “Makkal Kural” dated 31.08.2024.

24.02.2025

kak



WEB COPY

O.P.No.423 of



K.KUMARESH BABU, J.

kak

O.P.No.423 of 2024

24.02.2025