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O.P.No.490 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **06.08.2025**

CORAM

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

O.P.No.490 of 2024

1.A.Hari Ganesh

2.A.Dhikshita

...Petitioners

vs.

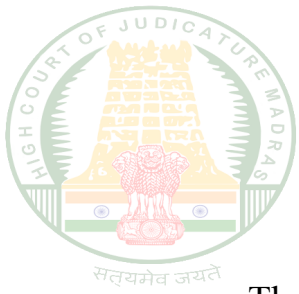
Dr.Sudha

...Respondent

PRAYER: Original Petition filed under Sections 300 and 372 of Indian Succession Act, 1925 read with Order XXV Rule 6 of the Original Side Rules, praying to grant Succession Certificate to the petitioners with the power to collect the debts and to receive the interest and dividends on the negotiate and transfer the securities specified in schedule hereto.

For Petitioners : Mr.T.D.K.Govindarajan

For Respondent : No appearance



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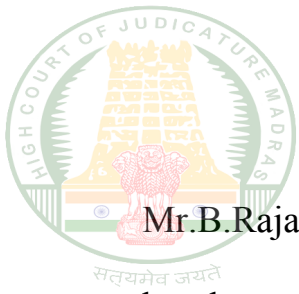
ORDER

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The petitioners seek Succession Certificate in respect of the securities held by Dr.V.Aravinth Reddy, who died intestate on 23.10.2012. The petitioners 1 and 2 are the children and the sole respondent was the wife of the deceased.

2. The petitioners submit that the above deceased was married to the sole respondent and had begotten them as his children out of his wedlock. The said deceased died on 23.10.2012 leaving behind the petitioners 1 and 2 along with the respondent as his legal heirs. The petitioners further submit that subsequent to the death of the deceased the respondent had remarried to one named Mr.B.Raja Anand and respondent had given a hand written letter to the school where the petitioners were receiving their education appointing her father and mother as the local guardians of the petitioners. The petitioners duly submit that they were in the custody and were brought up by their maternal grandparents and they have no communication with the respondent since her second marriage.

3. The second petitioner has been examined as PW1. She has produced 8 documents to support her deposition which are listed as Ex.P1 to Ex.P8 at the foot of the order. The original death certificate of the deceased has been marked as Ex.P1. The photocopy of the legal heirship certificate of the deceased has been marked as Ex.P2. The marriage certificate between the respondent and one



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Mr.B.Raja Anand has been marked as Ex.P3. The photocopy of the Letter given by the respondent to the petitioner's school has been marked as Ex.P4. The photocopy of the reply given by the Chief Manger IOB Regional Office Vellore to the maternal grandparents of the petitioner has been marked as Ex.P6. The perusal of the Ex.P2 clearly proves that the petitioners are the legal heirs of the deceased. The examination of the Ex.P4, substantiates the claims made in the petition, that the respondent had indeed delegated the custody of the petitioners to her parents, the maternal grandparents of the petitioners herein and had appointed them as the local guardians of the petitioners. The general paper publication has been effected and no objections have been received.

4. The service of notice has been completed upon the sole respondent but inspite of the service being completed she chose to keep herself away from the proceedings.

5. 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.

6. 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



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debts and to receive the interest and dividends on and to negotiate and transfer the securities mentioned in the schedule to the petition.

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Index : Yes/No



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Petitioners' witness:

P.W.1 – Ms.A.Dhikshita

Documents exhibited by the petitioners:

Exhibits	Documents
Ex.P1	Original death certificate of the father of the petitioner dated 29.10.2012.
Ex.P2	Photocopy of the legal heirship certificate of the father of the petitioner dated 31.10.2012.
Ex.P3	Photocopy of the Marriage Certificate of the respondent dated 10.02.2014.
Ex.P4	Photocopy of the Letter given by the respondent to the petitioner's School dated 09.10.2014.
Ex.P5	Photocopy of the Letter sent by the Maternal Grandparents of the petitioners to the Chief Manager IOB Regional Office Vellore dated 21.09.2023.
Ex.P6	Photocopy of the Reply given by the Chief Manager IOB Regional Office Vellore to the Maternal Grandparents of the petitioners dated 04.10.2023.
Ex.P7	Paper publication in Tamil daily “Makkal Kural” to the respondent dated 18.02.2025.
Ex.P8	Paper publication in Tamil daily “Makkal Kural” to the General Public dated 24.04.2025.

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K.KUMARESH BABU, J.

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