



O.P.No.654 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.02.2025

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THE HONOURABLE **MR.JUSTICE K.KUMARESH BABU**
O.P.No.654 of 2023

Mohammed Asif

...Petitioner

VS

1.Meraj Fathima

2.Fareha Kauser

3.Meherunissa

...Respondents

PRAYER: Original Petition filed for issuance of Succession Certificate under Section 372 of Indian Succession Act, read with Order XXV Rule 6 of Original Side Rules, prays that this Hon'ble Court may be pleased to

(i) grant a succession certificate to the petitioner herein with power to collect securities with dividends on and negotiate and transfer the securities specified in the schedule hereto.

(ii) and pass such further or other orders as this Hon'ble Court may deem fit and proper in the circumstances of the case and thus render justice.

For Petitioner : Mr.I.Kowser Nissar

For Respondents : Mr.Syed Aejaz
(For R1 to R3)



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ORDER

The petitioner seeks Succession Certificate in respect of the securities held by Late Mohamed Iqbal Shaik Abdul Hameed, who died intestate on 03.05.2020. The petitioner is the son of the deceased and the respondents are the wife, daughter and mother of the deceased respectively.

2. The petitioner has been examined as PW1. He has produced the death certificate of Late Late Mohamed Iqbal Shaik Abdul Hameed, compared with original as Ex.P1 and the legal heirship certificate of the Late Mohamed Iqbal Shaik Abdul Hameed along with electronic certificate as Ex.P2. A perusal of ExP2 shows that the petitioner and the respondents are the only legal heirs of the Late Mohamed Iqbal Shaik Abdul Hameed. The respondents have produced the consent affidavit in favour of the petitioner which are acknowledged by the Learned Counsel for Respondents. A paper publication has been made and no objections have been received.

3. In view of the above evidence, the Original Petition is allowed granting Succession Certificate in favour of the petitioners, to collect the debt and receive the interest in respect of the securities mentioned in the



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schedule to the petition.

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Index :Yes/No

Petitioner's witness:

P.W.1 - Mr.Mohammed Asif

Documents exhibited by the petitioners:

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Photocopy of the death certificate of Mr.Mohammed Iqbal Shaik Abdul Hameed (Compared with the original)
Ex.P2	Computer generated legal heir ship certificate of Mr.Mohammed Iqbal Shaik Abdul Hameed along with certificate under Section 65B of the Indian Evidence Act, 1872.
Ex.P3	Computer generated statement of folio bearing No.47260163426 of Nippon India Vision Fund stands in the name of Mr.Mohammed Iqbal along with certificate under Section 65B of the Indian Evidence Act, 1872.
Ex.P4	Computer generated statement of folio bearing No.47280000376 of Nippon India Vision Fund stands in the name of Mr.Mohammed Iqbal along with certificate under Section 65B of the Indian Evidence Act, 1872.
Ex.P5	Computer generated statement of folio bearing No.10148625 of SBI Mutual Fund stands in the name of Mr.Mohammed Iqbal along with certificate under Section 65B of the Indian Evidence Act, 1872.
Ex.P6	Computer generated statement of folio bearing No.1014202486 of Aditya Birla Capital stands in the name of Mr.Mohammed Iqbal along with certificate under Section 65B of the Indian Evidence Act, 1872.
Ex.P7	Computer generated statement of folio bearing No.1956732/50 of Tata Mutual Funds stands in the name of Mr.Mohammed Iqbal along with certificate under Section 65B of the Indian



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<i>Exhibits</i>	<i>Documents</i>
	Evidence Act, 1872.
Ex.P8	Photocopy of the request for transmission of shares given by me (Compared with the original)
Ex.P9	Copy of paper publication effected in one issue of Tamil daily “Makkal Kural” dated 09.03.2024.

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