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O.P.No.659 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **14.03.2025**

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

O.P.No.659 of 2024

1.Srikanth Krishnamoorthy
2.Mrs.Revathi Sankaran
3.K.Srinath

...Petitioners

PRAYER: Original Petition filed under Section 372 of Indian Succession Act, 1925 and under Order XXV, Rule 6 of the Madras High Court Original Side Rules, praying to grant a succession certificate to the petitioners with power to collect the debts and to receive the interest and dividends on and negotiate and transfer the securities specified in the schedule hereto.

For Petitioners : Mr.K.Bharani

ORDER

The petitioners seek Succession Certificate in respect of the securities held by Late Bala Krishnamoorthy, who died intestate on 15.11.2023. The petitioners are the children of the deceased. The husband of the deceased predeceased her.



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2. The first petitioner has been examined as PW1. He has produced the computer generated death certificate of the deceased Bala Krishnamoorthy and her husband as Ex.P1 and Ex.P2. The legal heir certificate of the deceased as Ex.P3. A perusal of Ex.P3, shows that the petitioners are the only surviving legal heirs of the deceased Bala Krishnamoorthy. A paper publication has been made and no objections have been received.

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 – Mr.Srikanth Krishnamoorthy



Documents exhibited by the petitioners:

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Computer generated death certificate of Mrs.Bala Krishnamoorthy.
Ex.P2	Computer generated death certificate of Mr.N.Krishnamoorthy.
Ex.P3	Computer generated legal heirship certificate of Mrs.Bala Krishnamoorthy.
Ex.P4	Photocopy of my Aadhaar Card (Compared with the original)
Ex.P5	Photocopy of the Aadhaar Card of the second petitioner (Compared with the original)
Ex.P6	Photocopy of the Aadhaar Card of the third petitioner (Compared with the original)
Ex.P7	Downloaded copy of the Mutual Fund statement of M/s.Adiya Birla Sun Life Mutual Fund bearing Registered Folio No.1041711075 in respect of ABSL Frontline Equity Fund-Grow scheme stands in the name of Mrs.Bala Krishnamoorthi.
Ex.P8	Downloaded copy of the Mutual Fund statement of M/s.Adiya Birla Sun Life Mutual Fund bearing Registered Folio No.1041711075 in respect of ABSL Low Duration Fund Growth Scheme stands in the name of Mrs.Bala Krishnamoorthi.
Ex.P9	Downloaded copy of the Mutual Fund account statement of M/s.HDFC Mutual Fund bearing Registered Folio No.20559718/42 stands in the name of Mrs.Bala Krishnamoorthi.
Ex.P10	Downloaded copy of the Mutual Fund account statement of M/s.HDFC Mutual Fund bearing Registered Folio No.20897241/56 stands in the name of Mrs.Bala Krishnamoorthi.
Ex.P11	Downloaded copy of the Mutual Fund account statement of M/s.HDFC Mutual Fund bearing Registered Folio No.20559718/42 stands in the name of Mrs.Bala Krishnamoorthi.
Ex.P12	Downloaded copy of the Mutual Fund account statement of M/s.HDFC Mutual Fund bearing Registered Folio No.17639347/18 stands in the name of Mrs.Bala Krishnamoorthi.
Ex.P13	Downloaded copy of the Mutual Fund account statement of



Exhibits	Documents
	M/s.HDFC Mutual Fund bearing Registered Folio No.18504467/87 stands in the name of Mrs.Bala Krishnamoorthi.
Ex.P14	Downloaded copy of the Mutual Fund account statement of M/s.HDFC Mutual Fund bearing Registered Folio No.18690185/04 stands in the name of Mrs.Bala Krishnamoorthi.
Ex.P15	Downloaded copy of the Mutual Fund account statement of M/s.ICICI Prudential Mutual Fund bearing Registered Folio No.17869423/42 stands in the name of Mrs.Bala Krishnamoorthi.
Ex.P16	Downloaded copy of the Mutual Fund account statement of M/s.ICICI Prudential Mutual Fund bearing Registered Folio No.23482684/41 stands in the name of Mrs.Bala Krishnamoorthi.
Ex.P17	Downloaded copy of the Mutual Fund account statement of M/s.ICICI Prudential Mutual Fund bearing Registered Folio No.15816496/02 stands in the name of Mrs.Bala Krishnamoorthi.
Ex.P18	Downloaded copy of the Mutual Fund account statement of M/s.ICICI Prudential Mutual Fund bearing Registered Folio No.20478686/56 stands in the name of Mrs.Bala Krishnamoorthi.
Ex.P19	Downloaded copy of the Mutual Fund account statement of M/s.ICICI Prudential Mutual Fund bearing Registered Folio No.23482684/41 stands in the name of Mrs.Bala Krishnamoorthi.
Ex.P20	Downloaded copy of the Mutual Fund account statement of M/s.Mirae Asset Mutual Fund bearing Registered Folio No.77761400566 stands in the name of Mrs.Bala Krishnamoorthi.
Ex.P21	Downloaded copy of the Mutual Fund account statement of M/s.Mirae Asset Mutual Fund bearing Registered Folio No.79938721543 in respect of ELSS Tax Saver Fund Scheme (Regular Plan Scheme) stands in the name of Mrs.Bala Krishnamoorthi.
Ex.P22	Downloaded copy of the Mutual Fund account statement of M/s.Mirae Asset Mutual Fund bearing Registered Folio No.79938721543 in respect of Aggressive Hybrid Fund (Regular Fund Scheme) stands in the name of Mrs.Bala Krishnamoorthi.
Ex.P23	Downloaded copy of the Mutual Fund account statement of M/s.Quant Mutual Fund bearing Registered Folio



<i>Exhibits</i>	<i>Documents</i>
	No.51019093303 for the period 6-03-2024 to 02-05-2024 stands in the name of Mrs.Bala Krishnamoorthi.
Ex.P24	Downloaded copy of the Mutual Fund account statement of M/s.Quant Mutual Fund bearing Registered Folio No.51019047196 for the period 01-01-1970 to 21-05-2024 stands in the name of Mrs.Bala Krishnamoorthi.
Ex.P25	Downloaded copy of the Mutual Fund account statement of M/s.Quant Mutual Fund bearing Registered Folio No.51019093303 for the period 01-01-1970 to 03-05-2024 stands in the name of Mrs.Bala Krishnamoorthi.
Ex.P26	Downloaded copy of the Mutual Fund account statement of M/s.Tata Mutual Fund bearing Registered Folio No.5379670/44 stands in the name of Mrs.Bala Krishnamoorthi.
Ex.P27	Downloaded copy of the Mutual Fund account statement of M/s.Tata Mutual Fund bearing Registered Folio No.6643763/77 stands in the name of Mrs.Bala Krishnamoorthi.
Ex.P28	Downloaded copy of the Mutual Fund account statement of M/s.Tata Mutual Fund bearing Registered Folio No.5379670/44 stands in the name of Mrs.Bala Krishnamoorthi.
Ex.P29	Certificate under Section 65 B of the Indian Evidence Act, 1872.
Ex.P30	Copy of paper publication effected in one issue of Tamil daily “Makkal Kural” dated 08.12.2024.

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