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O.P.No.32 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **14.02.2025**

CORAM

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

O.P.No.32 of 2024

1.T.Logaiah

2.T.Gopi

...Petitioners

vs.

1.T.Kesavan

2.Moorthy

3.T.Muniammal

4.T.Suganthi

5.S.Thilagavathi

...Respondents

PRAYER: Original Petition filed under Section 372 of Indian Succession Act, 1925 read with Order XXV Rule 6 of O.S.Rules, prays that necessary Succession Certificate may be granted in favour of the 2nd petitioner with power to collect the debts and to receive interest, morefully described in the Schedule-B hereunder, in accordance with law and thus render justice.

For Petitioner : Mr.A.E.Ravichandran

For Respondents : No appearance



ORDER

The petitioners seek Succession Certificate in favour of second petitioner in respect of the securities held by Late T.Baskaran, who died intestate on 24.09.2019 as bachelor. The petitioners and respondents are the siblings of the deceased and the only surviving legal heirs of the deceased. The parents of the deceased predeceased him. The respondents inspite of service of notice have remained absent and kept themselves away from their proceedings.

2. The second petitioner has been examined as PW1. He has produced the death certificate of his brother late T.Baskaran as Ex.P2. The family card of the deceased as Ex.P4. The Aadhar card of the petitioners and the deceased as Ex.P5, Ex.P6 and Ex.P7. On perusal of Ex.P5, Ex.P6 and Ex.P7, it clearly exhibits that father's name of the petitioners and deceased are one and same and the relationship between them. The Nomination given by deceased in favour of the second petitioner as Ex.P1 also shows that the deceased himself acknowledged the relationship between them. A paper publication has been made and no objections have been received.



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

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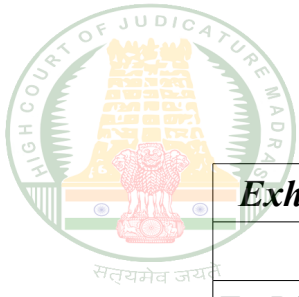
Index :Yes/No

Petitioner's witness:

P.W.1 - Mr.T.Gopi

Documents exhibited by the petitioners:

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Photocopy of the nomination form given by Mr.T.Baskaran in my favour for death cum retirement benefits (witness states that the original is handed over to the concerned office. This document is marked subject to its admissibility, proof and relevancy)
Ex.P2	Computer generated death certificate of Mr.T.Baskaran.
Ex.P3	Photocopy of the letter dated 02.09.2021 received from Office of the Accountant General (A & E), Tamilnadu, Chennai addressed to me stating the terminal benefits of Mr.T.Baskaran (Compared with the original)
Ex.P4	Photocopy of the family card of Mr.Baskaran (Compared with the original)
Ex.P5	Photocopy of the Aadhaar Card of the first petitioner (Compared with the original)
Ex.P6	Photocopy of my Aadhaar Card (Compared with the original)
Ex.P7	Photocopy of the Aadhaar Card of Mr.T.Baskaran (Compared



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<i>Exhibits</i>	<i>Documents</i>
	with the original)
Ex.P8	Certificate under Section 65 B of the Indian Evidence Act, 1872.
Ex.P9	Copy of the paper publication effected in one issue of Tamil Daily “Makkal Kural” dated 28.05.2024.

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