



O.P.No.457 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 04.03.2025

CORAM

THE HONOURABLE **MR.JUSTICE K.KUMARESH BABU**
O.P.No.457 of 2023

1.D.A.Vinoth Franklin

2.D.V.Daevon Jaziel

... Petitioners

Minor Rep., by his natural guardian

father D.A.Vinoth Franklin

PRAYER: Original Petition filed for Succession Certificate under Sections 372 & 300 of the Indian Succession Act, XXXIX 1925 read with Order XXV Rule 6 of Original Side Rules, prays that a Succession Certificate may be granted to the petitioners with the power to collect the debts and receive the interest and dividend on and negotiate and transfer the securities specified in the schedule hereto.

For Petitioner : Mr.S.Nambirajan &
Mr.M.Syed Rayhan

ORDER

The petitioners seek Succession Certificate in favour of the first petitioner in respect of the securities held by Late Sharanya Chandrasekaran, who died intestate on 27.05.2021. The petitioners are the husband and son of



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the deceased. The second petitioner is represented by the natural guardian,
the first petitioner.

2. The first petitioner has been examined as PW1. He has produced the death certificate of the deceased as Ex.P3. The marriage certificate of the first petitioner and the deceased as Ex.P1. The birth certificate of the Second petitioner as Ex.P4. The passport of the deceased as Ex.P5. The Aadhar card of the first petitioner as Ex.P7. On perusal of the Ex.P4, it shows that the first petitioner and deceased are the parents of the second petitioner. On perusal of the Ex.P5 and Ex.P7, it reveals that the first petitioner is the husband of the deceased. 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 first petitioner, since, the second petitioner is the minor and represented by natural guardian, the first



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petitioner, 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

Speaking: Yes/ No

Neutral Citation: Yes/No



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Petitioner's witness:

P.W.1 — Mr.D.A.Vinoth Franklin

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Documents exhibited by the petitioner:

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Photocopy of the extract of certificate of marriage dated 25.06.2018 issued by Registrar of Births and Marriages, Chennai-28 (Compared with the original)
Ex.P2	Photocopy of the death certificate of Mrs.Saranya Chandra Sekaran issued by Vijaya Medical & Educational Trust (Compared with the original)
Ex.P3	Computer generated death certificate of Mrs.Saranya Chandra Sekaran
Ex.P4	Computer generated birth certificate of minor D.V.Daevon Jaziel
Ex.P5	Photocopy of the passport of Mrs.Saranya Chandra Sekaran (Compared with the original)
Ex.P6	Photocopy of the Aadhaar Card of Mrs.Saranya Chandra Sekaran(Compared with the original)
Ex.P7	Photocopy of PW-1's Aadhaar Card (Compared with the original)
Ex.P8	Copy of the paper publication effected in one issue of Tamil Daily “Makkal Kural” dated 13.11.2023.

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