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O.P.No.794 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **01.07.2025**

CORAM

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

O.P.No.794 of 2024

- 1.Mr.S.Pankaj Kumar Mehta
- 2.Mrs.Kaushalya Devi
- 3.Mrs.Babita Naresh Jain
- 4.Mrs.S.Savita
- 5.Mrs.Manish Dakaliya

...Petitioners

PRAYER: Original Petition filed under Section 372 of the Indian Succession Act 1925 read with Order XXV Rule 6 of Original Side Rules, praying that a Succession Certificate may be granted to the first petitioner with the power to collect the security and receive the dividends, also to negotiate, transfer the said securities as described in Schedule hereunder.

For Petitioners : Mr.R.Ramesh

ORDER

The petitioners seek Succession Certificate in favour of the 1st petitioner in respect of the securities held by Late Shanthilal Mehta, who died intestate on 30.12.2021. The petitioners are the legal heirs of the deceased.

2. The petitioners submit that the 2nd petitioner got married to the



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deceased and had begotten the 1st petitioner as the son and petitioners 3 to 5 as their daughters in the duration of their marriage. The petitioners further submit that the parents of the deceased had already predeceased him thereby leaving behind the petitioners 1 to 5 as the only legal heirs of the deceased. The petitioners 2 to 5 had expressed their consent to grant the succession certificate in favour of the 1st petitioner and their respective consent affidavits were filed along with the petition.

3. The 1st petitioner has been examined as PW1, he has produced 10 documents to support his deposition which are listed as Ex.P1 to Ex.10 at the foot of the order. He had submitted the online copy of the death certificate of the deceased as Ex.P1. The legal heirship certificate of the deceased has been marked as Ex.P2. The aadhar cards of the petitioners 1 to 5 have been marked as Ex.P5 to Ex.P9. A perusal of the Ex.P2 proves that the petitioners 1 to 5 are the only legal heirs of the deceased. The general paper publication has been effected and no objections have been received.

4. The assertions in the petition have been duly proved by adducing



oral evidence supported by documents. In these circumstances, the 1st petitioner is entitled to the relief.

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5. In view of the above evidence, the Original Petition is allowed granting Succession Certificate in favour of the 1st petitioner, with the power to collect the securities and receive the interest and dividends and also to negotiate and transfer the securities mentioned in the schedule to the petition.

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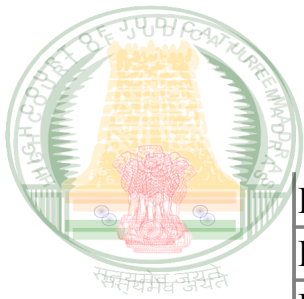
Index :Yes/No

Petitioner's witness:

P.W.1 – Mr.S.Pankaj Kumar Mehta

Documents exhibited by the petitioners:

Exhibits	Documents
Ex.P1	Online copy of death certificate of the deceased Mr.Shantilal Mehta dated 24.01.2022.
Ex.P2	Online copy of legal heir ship certificate of the deceased Mr.Shantilal Mehta dated 07.03.2022.
Ex.P3	Photocopy of Aadhar Card of the deceased Mr.Shantilal Mehta.
Ex.P4	Photocopy of Aadhar card of the 1 st petitioner.
Ex.P5	Photocopy of PAN Card of the 1 st petitioner.
Ex.P6	Photocopy of Aadhar Card of the 2 nd petitioner.



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Ex.P7	Photocopy of Aadhar Card of the 3 rd petitioner.
Ex.P8	Photocopy of Aadhar Card of the 4 th petitioner.
Ex.P9	Photocopy of Aadhar Card of the 5 th petitioner.
Ex.P10	Online copy of holding statement as on 02.06.2023 issued by Econo Broking Private Limited.

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