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O.P. No.191 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.09.2025

CORAM :

THE HONOURABLE MR.JUSTICE P.DHANABAL

O.P. No.191 of 2025

1. J. Kulanthai Elizabeth

W/o. Joseph Selvaraj @ J. Selvaraj (late)

2. J.S. Helena W/o. J. Prince Jesudasan

3. J.S. Jenifer W/o. Godwin Jaisingh

D/o. Joseph Selvaraj @ J. Selvaraj (late)

4. J.S. Sam Anto Raj Joseph Selvaraj @ J. Selvaraj (late)

... Petitioners

PRAYER: Original Petition is filed under Section 372 of the Indian Succession Act of 1925 read with Order XXV Rule 6 of the Original Side Rules praying to grant 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.

For Petitioners : Mr. P.K. Mohan Vel



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ORDER

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This petition has been filed by the petitioners praying to grant Succession Certificate under Section 372 of the Indian Succession Act read with Order XXV Rule 6 of the Original Side Rules.

2. According to the petitioners, one Joseph Selvaraj @ J. Selvaraj S/o. (late) A. Jebamani died on 22.11.2008. His father A. Jebamani was predeceased to him on 19.02.2007 and his mother J. Jayaseeli died on 23.02.2009. The 1st petitioner is the wife of the deceased, the 2nd and 3rd petitioners are the daughters and the 4th petitioner is the son of the deceased. As per the Legal Heir Certificate issued by the Tahsildar of Mambalam Taluk, Chennai, the petitioners are the only surviving legal heirs of the deceased. During the life time of the deceased Joseph Selvaraj @ J. Selvaraj, he purchased 2 nos of equity shares of Tamilnad Mercantile Bank Ltd., As on 05.03.2022, the deceased was holding 1002 nos. of shares of Tamilnad Mercantile Bank Ltd.,. The value of the above said shares as on 25.08.2023 is

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at Rs.5,26,551. Since the petitioners are the only legal heirs of the assets and

in order to get those amount of share certificates, the Succession Certificate is

necessary to them. Therefore, they have filed this petition.

3. After filing of this Original Petition, the petitioners were directed to effect paper publication and the same was also effected. No any objection was received from any party. Thereafter, the matter was posted for examination of witnesses and the evidence was recorded. On the side of the petitioners, they examined PW1 and marked Ex.P.1 to Ex.P.7.

4. This Court also perused the entire documents including the evidences. On a careful perusal of the evidence of PW1 and the documents Ex.P.1 to Ex.P.7, they reveal that the petitioners are the legal heirs of the deceased Joseph Selvaraj @ J. Selvaraj and the deceased purchased some share certificates mentioned in the Schedule of the petition and he died intestate, thereby, they are entitled to get the share certificates. Each of the petitioners are equally entitled to the share value. The petitioners each are

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equally entitled to 1/4 share over the value of the share certificates. Therefore, they are entitled to the Succession Certificate.

5. In view of the same, this Original Petition is *allowed*. *The petitioners are each entitled to 1/4 share of the value of the share certificates and* a direction for grant of Succession Certificate in favour of the petitioners with power to collect their securities and to receive the interest and dividends on and negotiate and transfer the securities specified in the Schedule, as applicable till the date of withdrawal, is issued.

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Index : Yes/No
Speaking Order : Yes/No
mjs

List of Petitioner side Witnesses:

PW1 : Mr. J.S. Sam Anto Raj S/o. Joseph Selvaraj @
J. Selvaraj (late).

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List of Petitioner side Documents:

Exhibit No.	Document	Date
Ex.P.1.	Xerox copy of Share Certificate of Tamilnad Mercantile Bank Ltd., in the name of the deceased i.e., J. Selvaraj.	24.09.2003
Ex.P.2	Xerox copy of Death Certificate of J. Selvaraj	05.04.2022
Ex.P.3	Xerox copy of Legal Heri Certificate of J. Selvaraj.	29.01.2009
Ex.P.4.	Original Death Certificate of Y.Jebamani	27.12.2023
Ex.P.5	Original Death Certificate of J. Jayaseeli	27.12.2023
Ex.P.6	Details of shares of J. Selvaraj - Original letter.	05.03.2022
Ex.P.7	Xerox copy of Aadhar card of PW1.	-



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