



WEB COPY

O.P.No.761 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **24.04.2025**

CORAM

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

O.P.No.761 of 2023

1.R.Amudha

2.B.Puja

3.B.Darshini (Major)

The 3rd petitioner declared as Major and the 1st petitioner discharged from guardianship of 3rd petitioner and amendment carried out as per order dated 21.11.24 in A.Nos.5747 & 5748 of 2024 in O.P.No.761 of 2023)

4.B.Punith

5.B.Sashwad

Petitioners 3, 4 & 5 are minors and is represented by her mother R.Amudha, the 1st petitioner

...Petitioners

PRAYER: Original Petition filed for Succession Certificate under Section 372 of Indian Succession Act read with Order XXV Rule 6 of the Madras High Court Original Side Rules, prays that this Hon'ble Court may be pleased to grant the First petitioner a Succession Certificate with power to collect the debts and to receive the interest and dividends and to negotiate and transfer the securities specified in the schedule hereunder.

For Petitioners : Mr.S.S.Azhagamperumal

**ORDER**

The petitioners seek Succession Certificate in favour of the first petitioner in respect of the securities held by Late.Mr.J.Balaji, who died intestate on 22.05.2021. The 1st petitioner is the wife and the petitioners 2 to 5 are the children of the deceased. At the time of the filing the original petition, the petitioners 3 to 5 were minors who was represented by their mother the 1st petitioner. After attaining the age of majority the 3rd petitioner was declared as major vide order dated 21.11.2024 in Application No.5747 of 2024 and the 1st petitioner was discharged from the guardianship of the 3rd petitioner vide order dated 21.11.2024 in Application No.5748 of 2024.

2. The first petitioner has been examined as PW1. She has produced the computer generated death certificates of the deceased Late.Mr.J.Balaji, Late.Mr.Janakiraman the father of the deceased and Late.Mrs.Ramamani the mother of the deceased as Ex.P3, Ex.P1 and Ex.P2. The legal heirship certificate of the deceased has been marked as Ex.P4. The aadhar card of the minors 4th and 5th petitioners are marked as Ex.P10 and Ex.P11. A perusal of Ex.P4 shows that the petitioners are the only legal heirs of the deceased Late.Mr.J.Balaji. A paper publication has been made which is marked as Ex.P13 and no objections have been received.



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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, with the power to collect the securities and receive the interest and dividends and to negotiate and transfer the securities mentioned in the schedule to the petition.

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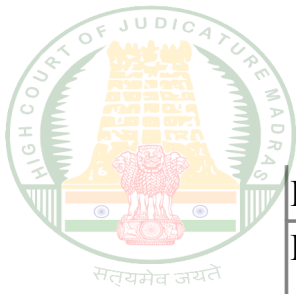
Index :Yes/No

Petitioner's witness:

P.W.1 – Mrs.R.Amudha

Documents exhibited by the petitioner:

Exhibits	Documents
Ex.P1	Computer generated death certificate of Mr.Janakiraman.
Ex.P2	Computer generated death certificate of Mrs.Ramamani.
Ex.P3	Computer generated death certificate of Mr.Balaji.



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Ex.P4	Computer generated death certificate of Mr.J.Balaji.
Ex.P5	Computer generated DP of Central Depository Services (I) Ltd client ID No.05205833 stands in the name of Mr.Janakiraman Balaji.
Ex.P6	Computer generated DP of Central Depository Services (I) Ltd client ID No.23553340 stands in the name of Mrs.Radhakrishnan Amudha.
Ex.P7	Photocopy of my Aadhaar Card (Compared with the original)
Ex.P8	Photocopy of the Aadhaar Card of the second petitioner. (Compared with the original)
Ex.P9	Photocopy of the Aadhaar Card of the third petitioner. (Compared with the original)
Ex.P10	Photocopy of the Aadhaar Card of the fourth petitioner. (Compared with the original)
Ex.P11	Photocopy of the Aadhaar Card of the fifth petitioner. (Compared with the original)
Ex.P12	Computer generated statement of holdings bearing client ID No.1201090005205833 stands in the name of Mr.Janakiraman Balaji.
Ex.P13	Copy of the paper publication effected in one issue of Tamil Daily “Malai Murasu” dated 23.05.2024.
Ex.P14	Certificate under Section 65 B of the Indian Evidence Act, 1872.

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