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O.P.No.564 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **06.08.2025**

CORAM

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

O.P.No.564 of 2023

R.Suresh

...Petitioner

VS.

1.R.Ramesh

2.Latha Balaji

3.R.Rajesh

...Respondents

PRAYER: Original Petition filed under Part X and Section 372 of Indian Succession Act of 1925 and Order XXV Rule 6 of the Original Side Rules, praying to grant Succession Certificate to the petitioner with the power to collect the debts and to receive the interest and dividends on the negotiate and transfer the securities specified in schedule hereto.

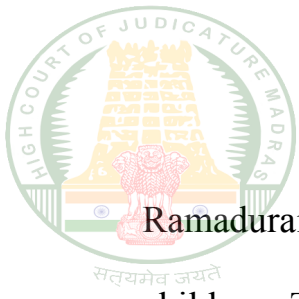
For Petitioner : Mr.T.V.Sekar

For Respondents : Ms.C.K.Lavanyarathi

ORDER

The petitioners seek Succession Certificate in respect of the debts held by Mr.R.Ramadurai, who died intestate on 29.08.2021. The petitioner and the respondents 1 to 3 are the children of the deceased.

2. The petitioner submits that the deceased was married to one Mrs.Hema



Ramadurai and had begotten the petitioner and the respondents 1 to 3 as his children. The petitioner further submits that his mother who is the wife of the deceased had already predeceased his father, the deceased herein on 12.01.2013 and the parents of the deceased had also predeceased him, thereby leaving the petitioner and the respondents 1 to 3 as the only legal heirs of the deceased. The petitioner asserts that as the sole legal heirs of the deceased both him and the respondents 1 to 3 are entitled to an equal share together with the accrued interest to the securities mentioned in the schedule of the petition.

3. The petitioner has been examined as PW1. He has produced 6 Documents to support his deposition which are listed as Ex.P1 to Ex.P6 at the foot of the order. The computer generated copy of the death certificate of the deceased and his wife, Late.Mrs.Hema Ramadurai, has been marked as Ex.P4 and Ex.P2 respectively. The photocopy of the legal heirship certificate of the deceased and his wife has been marked as Ex.P5 and Ex.P3. Upon the detailed examination of Ex.P5 and Ex.P3 it can be established that the petitioner along with the respondents 1 to 3 are the sole legal heirs of the deceased. The general paper publication has been effected which is marked as Ex.P6 and no objections have been received.

4. The service of notices upon the respondents 1 to 3 has been completed. The respondents 1 to 3 have expressed their consent to grant the Succession



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certificate in favour of their brother, the petitioner herein and their respective consent affidavits have also been filed. The learned counsel for the respondents 1 to 3 had appeared on behalf of them and has reiterated the respective consent affidavits of the respondents.

5. The assertions in the petition have been duly proved by adducing oral evidence supported by documents. In these circumstances, the petitioner is entitled to the relief

6. In view of the above evidence, the Original Petition is allowed granting Succession Certificate in favour of the petitioner, with the power to collect the debts and receive the interest and dividends specified in the schedule to the petition.

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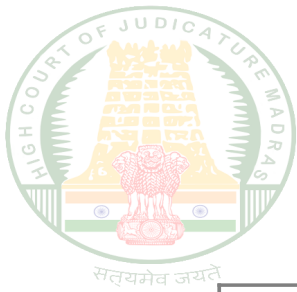
Index :Yes/No

Petitioner's witness:

P.W.1 – Mr.R.Suresh

Documents exhibited by the petitioner:

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Exhibits	Documents
Ex.P1	Photocopy of the public provident fund scheme bearing account No.10792657038 dated 11.09.2019. (Original is produced compared and returned to the petitioner's counsel)
Ex.P2	Computer generated copy of the death certificate of Mrs. Hema Ramadurai issued on 25.09.2013 along with certificate under Section 65B of Indian Evidence Act.
Ex.P3	Photocopy of the legal heirship certificate of Mrs.Hema Ramadurai dated 13.09.2013. (Original is produced compared and returned to the petitioner's counsel)
Ex.P4	Computer generated copy of the death certificate of Mr.R.Ramadurai issued on 13.09.2021 along with certificate under Section 65B of Indian Evidence Act.
Ex.P5	Computer generated copy of the legal heirship certificate of Mr.R.Ramadurai dated 14.02.2022 along with certificate under Section 65B of Indian Evidence Act.
Ex.P6	One issue of paper publication in Tamil Daily “Makkal Kural” dated 30.05.2025.

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K.KUMARESH BABU, J.

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