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O.P. No.748 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.10.2025

CORAM :

THE HONOURABLE MR.JUSTICE P.DHANABAL

O.P. No.748 of 2024

Prakash Baid

... Petitioner

VS.

1. Sukhraj Devi Baid

2. Meenakshi Jain

3. Pradeep Baid

.. Respondents

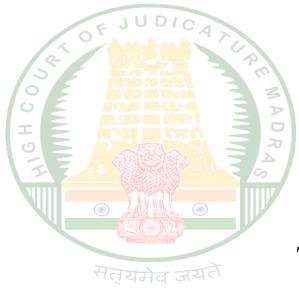
PRAYER: Original Petition is filed under Section 372 of the Indian Succession Act of 1925 read with Order XXV Rule 6 of the Original Side Rules praying to grant Succession Certificate to the petitioner with power to collect the securities and to receive the interest and dividends on and negotiate and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

For Petitioner : Mr.Dhruv A. Thaker
for M/s. Shah & Shah

For Respondents : Mr. Dilip Kumar

ORDER

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This petition has been filed by the petitioner 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 petitioner, the deceased Noratanmal Baid @ Mr. N.M. Baid died on 30.12.2022 leaving the petitioner and the respondents behind him as surviving legal heirs and after the demise of the deceased, the petitioner and the respondents are the Class I Legal Heirs to succeed his estates. The deceased owned assets inter alia by way of shares described in the schedule. The parents of the deceased predeceased him. Since the petitioner and the respondents are the only legal heirs of the assets and in order to transfer the above said shares in their favour, the Succession Certificate is necessary and the respondents 1 to 3 have consented for such a grant of succession certificate in favour of the petitioner. The value of assets



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in respect of which, the succession certificate, is required is of the value at

Rs.31,17,838/-. Therefore, the petitioner has filed this petition.

3. After filing of this Original Petition, the petitioner was 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.P5.

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.P5, they reveal that the petitioner and the respondents are the legal heirs of the deceased Noratanmal Baid @ Mr. N.M. Baid and during his lifetime, he had purchased the schedule mentioned properties and thereafter, he died intestate, thereby, the petitioner and the respondents, being the surviving legal heirs, each are equally entitled to get those shares. The

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respondents have filed their consent affidavit to grant succession certificate in

favour of the petitioner. Therefore, the petitioner is entitled to the Succession Certificate.

5. In view of the same, this Original Petition is ***allowed.*** ***The petitioner is entitled to the value of the shares and*** a direction for grant of Succession Certificate in favour of the petitioner with power to collect their debts, 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

APPENDIX:

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List of Petitioner side Witnesses:

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PW1 : Mr. Prakash Baid

List of Petitioner side Documents:

Exhibit No.	Date	Description of Documents
Ex.P.1.	-	Computer generated Death Certificate of Mr. Noratanmal Baid.
Ex.P.2	-	Computer generated Legal Heir Certificate of Mr. Noratanmal Baid.
Ex.P.3	11.09.2024	Original DEMAT statement of holding ICICI bank in respect of Mr. N.M. Baid.
Ex.P.4.	-	Certificate under Section 63(a) of B.S.A.
Ex.P.5	21.08.2025	Copy of paper publication effected in one issue of Tamil daily "Makkal Kural".

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