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O.P.No.846 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **30.04.2025**

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

O.P.No.846 of 2024

1.Melappalayam Krishnaswamy Santhanaraman
2.M.K.Vasudevan

...Petitioners

PRAYER: Original Petition filed under Section 372 of the Indian Succession Act, 1925 read with Order XXV Rule 6 of the O.S.Rules, praying that this Hon'ble Court may be pleased to grant a succession certificate in favour of the petitioners with power to collect the securities and to receive the interest and dividends on and negotiate and transfer the securities specified in the schedule hereto.

For Petitioners : Mr.P.Dinesh Kumar

ORDER

The petitioners seek Succession Certificate in respect of the securities held by Late.M.S.Krishnaswamy, who died intestate on 03.12.1999. The petitioners are the sons of the deceased through his first wife Late.Mrs.Padmakrishnaswamy who predeceased Late.M.S.Krishnaswamy on 22.08.1958.

2. The first petitioner has been examined as PW1. He has produced the



computer generated death certificates of the deceased

Late.M.S.Krishnaswamy, his first wife Late.Mrs.Padmakrishnaswamy and his second wife Late.Bhooma Krishnaswamy as Ex.P2, Ex.P1 and Ex.P4. The legal heirship certificate of the deceased Late.Mr.M.S.Krishnaswamy have been marked as Ex.P3. A perusal of Ex.P3 shows that the petitioners are the only surviving legal heirs of the deceased Late.Mr.M.S.Krishnaswamy. The general paper publications has been which are marked as Ex.P6 and Ex.P7 and no objections have been received.

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 petitioners, with the power to collect the securities and receive the interest and dividends on and 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.Melappalayam Krishnaswamy Santhanaraman

Documents exhibited by the petitioners:

Exhibits	Documents
Ex.P1	Computer generated death certificate of Mrs.Padma Krishnaswamy.
Ex.P2	Photocopy of the death certificate of M.S.Krishnaswamy. (Compared with the original)
Ex.P3	Photocopy of the legal heirship certificate of Mr.M.S.Krishnaswamy (Compared with the original)
Ex.P4	Computer generated death certificate of Mrs.Bhooma Krishnaswamy.
Ex.P5	Computer generated letter dated 15.06.2024 addressed to me by Link Intime.
Ex.P6	Copy of the paper publication effected in one issue of Tamil Daily “Makkal Kural” dated 12.03.2025.
Ex.P7	Copy of paper publication effected in one issue of English Daily “Trinity Mirror” dated 20.03.2025.
Ex.P8	Certificate under Section 65 B of Indian Evidence Act, 1872.

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K.KUMARESH BABU, J.



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