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O.P.No.181 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **26.03.2025**

CORAM

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

O.P.No.181 of 2024

Mr.B.Kumar

...Petitioner

PRAYER: Original Petition filed under Section 372 of the Indian Succession Act (XXXIX of 1925) for grant of Succession Certificate read with Order XXV Rule 6 of the O.S. Rules, prays that a Succession Certificate may be granted to the petitioner namely B.Kumar with power to collect the debt and to receive the interest therein as specified in the schedule hereto.

For Petitioner : Mr.Abdul Rahman
For M/s.G.Paul Einstein

ORDER

The petitioner seek Succession Certificate in respect of the securities held by Late Mrs.L.Kasthuri, who died intestate on 24.09.2020. The petitioner is the son-in-law of the deceased. The petitioner submits that he was married to one Late Mrs.K.Shanthi who is the daughter of the testatrix, who predeceased the testatrix on 18.09.2020, the couple did not have any issues in the duration of their marriage. The petitioner further submits that he



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has been taking care of both his wife and his mother-in-law, herein the testatrix. The testatrix died on 24.09.2020 leaving no immediate legal heirs other than the petitioner.

2. The petitioner has examined as PW1. He has produced the computer generated death certificates of the deceased Late.Mrs.L.Kasthuri and her predeceased daughter Late.Mrs.K.Shanthi as Ex.P8 and Ex.P11. The photocopy of the family card of the deceased marked as Ex.P2. The legal heirship certificate of the Late.Mrs.K.Shanthi the daughter of the deceased dated 19.02.2021 has been marked as Ex.P12. A further perusal of the Ex.P12 which proves that the petitioner is the only legal heir to the daughter of the testatrix. A paper publication has been made which is marked as Ex.P9 and no objections have been received for the same.

3. 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.



4. 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 securities and receive the interest and dividends mentioned in the schedule to the petition.

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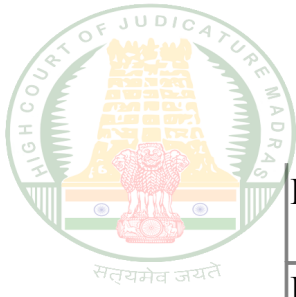
Index :Yes/No

Petitioner's witness:

P.W.1 – Mr.B.Kumar

Documents exhibited by the petitioners:

Exhibits	Documents
Ex.P1	Photocopy of the Chief Minister Comprehensive Health Insurance Scheme Card of the petitioner and the deceased persons. (Compared with the original)
Ex.P2	Photocopy of Family Card. (Compared with the original)
Ex.P3	Photocopy of the Indian Bank Savings Account Passbook bearing Account No.441083848 stands in the name of Mrs.Kasturi. (Compared with the original)
Ex.P4	Photocopy of the passbook of Tamil Nadu State Apex Co-operative Bank Limited bearing Account No.208063523, standing the name of Mrs.K.Shanthi and R.Kasthuri (Compared with the original)
Ex.P5	Photocopy of the deposit receipt of Tamil Nadu State Apex Co-operative Bank Limited bearing Account No.719598390 dated 16.12.2019 of Mrs.R.Kasthuri.
Ex.P6	Photocopy of the deposit receipt of Indian Bank bearing No.0719919 of Mrs.J.Kasturi.



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Ex.P7	Photocopy of the deposit receipt of Indian Bank bearing No.0719920 of Mrs.J.Kasturi.
Ex.P8	Computer generated death certificate of Mrs.Kasthuri.
Ex.P9	Copy of the paper publication effected in one issue of Tamil Daily “Makkal Kural” dated 13.09.2024.
Ex.P10	Certificate under Section 65 B of the Indian Evidence Act, 1872.
Ex.P11	Computer generated death certificate of Mrs.Shanthi.
Ex.P12	Computer generated legal heirship certificate of Mrs.K.Shanthi.
Ex.P13	Certificate under Section 65 B of the Indian Evidence Act, 1872.

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