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O.P.No.799 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **25.06.2025**

CORAM

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

O.P.No.799 of 2024

1.Mrs.J.Violet Mary
2.D.Shakila
3.J.Pramila
4.J.Prabesh
5.K.Sasirekha

...Petitioners

PRAYER: Original Petition filed under Section 372 of the Indian Succession Act, 1925 read with Order XXV Rule 6 of O.S.Rules, prays that a Succession Certificate may be granted to 1st petitioner with power to collect the debts and to receive the interest and dividends on and negotiate and transfer the securities specified in the schedule hereto as more fully in the schedule hereto.

For Petitioners : Mr.K.Ramesh

ORDER

The petitioners seek Succession Certificate in favour of the 1st petitioner in respect of the securities held by Late Mr.L.Joseph, who died intestate on 10.11.2011. The petitioners submit that 1st petitioner is the wife of the deceased and the petitioners 2 to 5 are the children of the deceased. The



petitioners 1 to 5 are the only legal heirs of the deceased.

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2. The 1st petitioner has been examined as PW1, she had produced 5 documents to support her deposition which are listed as Ex.P1 to Ex.P5 at the foot of the order. She had produced the death certificate of the deceased as Ex.P2. The legal heirship certificate of the deceased has been marked as Ex.P3. A perusal of Ex.P3 clearly proves that the petitioners 1 to 5 are the only legal heirs of the deceased and it further substantiates that 1st petitioner is the wife of the deceased. The consent affidavits of the petitioners 2 to 5 have been marked as Ex.P5. A paper publication has been effected 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 1st 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 1st petitioner, with the power to collect the debts and securities and to receive the interest and dividends on



and negotiate and transfer the securities specified in the schedule to the
petition.

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Index :Yes/No

Petitioner's witness:

P.W.1 – Mrs.J.Violet Mary

Documents exhibited by the petitioners:

Exhibits	Documents
Ex.P1	Photocopy of the Pension Pay Order dated 03.06.2008.
Ex.P2	Death Certificate of L.Joseph dated 24.08.2012.
Ex.P3	Photocopy of the Legal Heir Ship Certificate of Mr.L.Joseph dated 18.05.2015.
Ex.P4	Photocopy of the Letter from MTC, Chennai – 2 dated 29.10.2022.(Compared with the original)
Ex.P5	(series) are the consent affidavit of second to fifth petitioners.

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