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O.P.No.129 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **27.06.2025**

CORAM

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

O.P.No.129 of 2024

1.Aashutosh Bagdi

2.Anu Kothari

...Petitioners

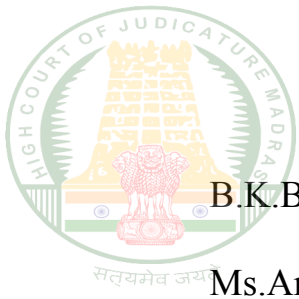
PRAYER: Original Petition filed under Section 372 of the Indian Succession Act, Act XXXIX of 1925 and order XXV Rule 6 of the High Court Original Side Rules, praying to grant succession certificate to the 1st petitioner namely Mr.Aashutosh Bagdi with power to collect the securities and to receive interest, dividends thereon and negotiate and transfer the securities specified in the schedule hereunder.

For Petitioners : Mr.S.Rajesh Kumar
for M/s.Nathan and Associates

ORDER

The petitioners seek Succession Certificate in favour of the 1st petitioner in respect of the securities held by Late Mrs.Rajkumari Bagdi, who died intestate on 09.12.2007. Both the petitioners 1 and 2 are the legal heirs of the deceased.

2. The petitioners submit that the deceased had got married one Mr.

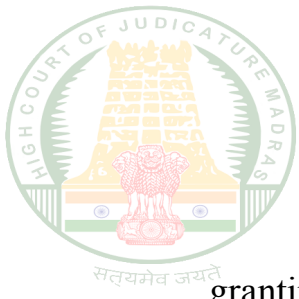


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B.K.Bagdi and had begotten the 1st and 2nd petitioners along with one Late Ms.Archana Bagdi as their children. The petitioners further submit that their father Mr.B.K.Bagdi died on 16.07.2014 and their sister Ms.Archana Bagdi died on 01.09.2018, leaving behind the petitioners as the only legal heirs of the deceased.

3. The first petitioner has been examined as PW1 and he had marked 9 documents to support his deposition which are listed as Ex.P1 to Ex.P9 at the foot of the order. He had produced the computer generated death certificate of the deceased as Ex.P1. The computer generated death certificates of the husband of the deceased Mr.B.K.Bagdi and daughter of the deceased Ms.Archana Bagdi has been marked as Ex.P3 and Ex.P4 respectively. The computer generated legal heirship certificate of the deceased has been marked as Ex.P2. A perusal of Ex.P2 proves that the petitioners are the only legal heirs of the deceased. A paper publication has been effected which is marked as Ex.P9 and no objections have been received.

4. The assertions in the petition have been duly proved by adducing oral evidence supported by documents. In these circumstances, the 1st petitioner are entitled to the relief.



5. 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 securities and receive the interest and dividends thereon and negotiate and transfer the securities mentioned in the schedule to the petition.

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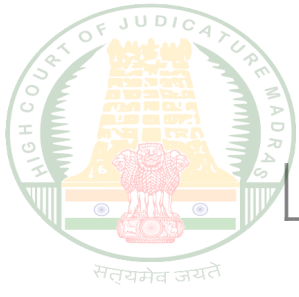
Index :Yes/No

Petitioner's witness:

P.W.1 – Mr.Aashutosh Bagdi

Documents exhibited by the petitioners:

Exhibits	Documents
Ex.P1	Computer generated death certificate of Mrs.Rajkumari Bagdi.
Ex.P2	Computer generated legalheirship certificate of Mrs.Rajkumari Bagdi.
Ex.P3	Computer generated death certificate of Mr.B.K.Bagdi.
Ex.P4	Computer generated death certificate of Mrs.Archana Bagdi.
Ex.P5	Photocopy of Aadhar Card of P.W.1.(Compared with the original)
Ex.P6	Photocopy of the Aadhar Card of the 2 nd petitioner.(Compared with the original)
Ex.P7	Original letter dated 21.09.2023 in respect of the shares held by Mrs.Rajkumari Bagdi.
Ex.P8	Certificate under Section 65 B of the Indian Evidence Act, 1872.
Ex.P9	Copy of paper publication effected in one issue of Tamil



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Daily “Makkal Kural” dated 25.07.2024.

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