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O.P.No.47 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **30.04.2025**

CORAM

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

O.P.No.47 of 2025

- 1.R.Mahalingam
- 2.Mrs.Sagunthala
- 3.Mrs.Alamelu Srinivasan
- 4.Mrs.P.Gowri
- 5.Mrs.P.Lakshmi

...Petitioners

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

For Petitioners : Mr.P.Sivagaminathan

ORDER

The petitioners seek Succession Certificate in favour of the first petitioner respect of the securities held by Late.Mr.T.N.Rajagopal and his wife Late.Mrs.R.Premavathi @ Prema, who died intestate on 24.12.1973 and 03.08.1986 respectively. The petitioners 1 to 3 are the children of both the deceased and the 4th spetitioner is the daughter-in-law and the 5th petitioner granddaughter of both the deceased through their deceased son



Late.Mr.Parthasarathy.

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2. The first petitioner has been examined as PW1. He has produced the computer generated death certificates of both the deceased Late.Mr.T.N.Rajagopal, his wife Late.Mrs.R.Premavathi and his son Late.Mr.Parthasarathy as Ex.P1, Ex.P2 and Ex.P4 respectively. The legal heirship certificates of the deceased Late.Mrs.R.Premavathi and Late.Mr.Parthasarathy have been marked as Ex.P3 and Ex.P5. A perusal of Ex.P5 shows that the 4th and 5th petitioners are the only legal heirs of the Late.Mr.Parthasarathy. From the perusal of the Ex.P3 it is clear that the petitioners 1 to 3 are the legal heirs of the both the deceased. The petitioners 2 to 5 have given their consent to grant the Succession Certificate infavour the 1st petitioner and their respective consent affidavits had been filed along with the petition. A paper publication has been made which is marked as Ex.P10 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 first petitioner, with the power to collect the securities and receive the interest and dividends and to negotiate and transfer the securities mentioned in the schedule to the petition.

30.04.2025

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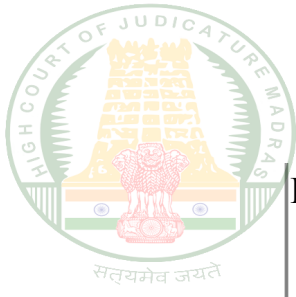
Index :Yes/No

Petitioner's witness:

P.W.1 – Mr.R.Mahalingam

Documents exhibited by the petitioner:

Exhibits	Documents
Ex.P1	Online copy of the Death Certificate of Rajagopal dated 17.08.2010.
Ex.P2	Online copy of the Death Certificate of Prema dated 17.08.2010.
Ex.P3	Online copy of the Legal Heir Certificate of R.Premavathi dated 24.12.2019.
Ex.P4	Photocopy of the Death Certificate of R.Parthasarathy dated 11.03.2004.
Ex.P5	Photocopy of the Legal Heir Certificate of T.R.Parthasarathy dated 16.12.2004.
Ex.P6	Photocopy of the Karvey Fintech Private Limited – Statement of Holding 5870 shares of HINDUSTAN UNILEVER Limited and sample share certificate for shares are in joint name dated 02.02.2019.
Ex.P7	Photocopy of the SB A/c with Bank of India, Mylapore Branch, A/c.No.800210100000034 (T.N.Rajagopal) dated 01.11.2024.



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Ex.P8	Web copy of the order copy of Application No.5202/2024 in O.P.No.276/2016 for revocation of Succession Certificate already granted dated 26.11.2024.
Ex.P9	Photocopy of the Aadhar card of the petitioners 1 to 5.
Ex.P10	Paper publication in Tamil Daily newspaper in "MAKKALKURAL" Dated 27.03.2025.
	(Affidavit under Section 65 B of the Indian Evidence Act filed and recorded)

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K.KUMARESH BABU, J.

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