IN THE HIGH COURT OF JUDICATURE AT MADRAS

(TESTAMENTARY AND INTESTATE JURISDICTION)

THURSDAY, THE 25TH DAY OF FEBRUARY 2016

THE HON'BLE MR.JUSTICE K.K.SASIDHARAN

OP.NO.508 OF 2015

In the matter of the Indian Succession Act XXXIX of 1925
and
In the matter of Securities of P.R.Shanmugam Chetty (Deceased)intestate.

1.P.S.Ramanjulu
Son of late P.R.Shanmugam Chetty
No.273,Mint Street
Chennai-600 003.

2.P.S.Karthiresan
Son of late P.R.Shanmugam Chetty
No.273,Mint Street
Chennai-600 003.

3.Mrs.C.G.Vijayalakshmi
Wife of C.S.Gnanasekaran
Daugher of late P.R,Shanmugam Chetty
NO.78,Gill Nagar,Third Street
Choolaimedu
Chennai-600 094

...Petitioners

This Original Petition praying that this Hon'ble Court be pleased to that a succession certificate may be granted to the Petitioners 1 and 2 with power to collect the securities and to receive interest, dividends thereon and negotiate and transfer the securities specified in the schedule hereunder.

SCHEDULE

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This Original Petition coming on this day before this court for hearing the court made the following order:

This Original Petition is filed under Section 372 of the Indian Succession Act for issuance of a Succession Certificate.

2. The petitioners are the children of Thiru P.R.Shanmugam Chetty, who died intestate on 30.6.2009 at Chennai. The wife of Thiru P.R.Shanmugam Chetty died on 11.10.2008.

3. The petitioners are the sole surviving legal heirs of the deceased by virtue of their status as Class-I heirs.

4. The debts and securities due to the estate of the deceased are shown in the schedule to the Original Petition. The petitioners seek an order to issue Succession Certificate.

5. The petitioners have taken paper publication in ''Malai Malar" on 14.8.2015. So far no objection has been received from any one.

6. The first petitioner was examined as P.W.1. The following documents were marked through him:-

Exhibits	***Documents***
Ex.P1	Computer generated death certificate of petitioner's father P.R.Shanmugam Chetty who died on 30.6.2009

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Exhibits	***Documents***
Ex.P2	Computer generated death certificate of petitioner's mother P.S.Vedavalli Thayarammal who died on 11.10.2008
Ex.P3	Photocopy of legal heirship certificate dated 19.2.2010 in respect of P.R.Shanmugam Chettiyar
Ex.P4 (series 6 Nos)	Photocopies of share certificate in MRF Limited Madras, bearing Certificate Nos.128950, A.144429, 128951, 128952, 128953, 128954, which stands in the name of P.R.Shanmugam
Ex.P5	Photocopy of share certificate in Chambal Fertilizers and Chemicals Limited bearing Certificate No.2458260, which stands in the name of P.R.Shanmugam
Ex.P6	Photocopies of share certificate in Mangalore Refinery and Petrochemicals Limited bearing Certificate No.2650720, 0650357, which stands in the name of P.R.Shanmugam
Ex.P7	Photocopy of share certificate in Bharat Bank Limited bearing Certificate No.14019, which stands in the name of P.R.Shanmugam
Ex.P8	Photocopy of share certificate in Bharat Nidhi Limited bearing Certificate No.20815, which stands in the name of P.R.Shanmugam
Ex.P.9	Photocopy of share certificate in Eicher Motors Limited bearing Certificate No.114000, which stands in the name of P.R.Shanmugam
Ex.P.10	Photocopy of share certificate in Travencore Cements Limited bearing Certificate No.5744, which stands in the name of P.R.Shanmugam
Ex.P.11 (series 4 Nos.)	Photocopy of share certificate in Travencore Sugar and Chemicals Limited bearing Certificate Nos.4518, 5533, 8097, bearing Distinctive Nos.1288002-1288101, which stands in the name of P.R.Shanmugam
Ex.P.12	Photocopy of share certificate in Either Goodearth Investment Limited bearing Certificate No.3482, which stands in the name of P.R.Shanmugam
Ex.P.13	Photocopy of share certificate in Carborundum Universal Limited bearing Certificate No.1815, which stands in the name of P.R.Shanmugam

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Exhibits	***Documents***
Ex.P.14	Consent affidavit given by the third petitioner stating that he has no objection to grant Succession Certificate in favour of first and second petitioners.
Ex.P.15	Copy of Paper Publication effected in Tamil Daily "Malai Malar" dated 14.8.2015.

7. The third petitioner has given consent to issue a Succession Certificate in the name of petitioners 1 and 2. The consent affidavit was marked as Ex.P.14.

8. In view of the evidence available on record, the petitioners are entitled to succeed to the estate of the deceased.

9. There shall be an order to issue a Succession Certificate in the name of petitioners 1 and 2 authorizing them to collect the debts and securities shown in the schedule to the Original Petition.

10. In the upshot, I allow the Original Petition.

Sd/K.K.S.J

25.02.2016

//Certified to be a true copy//

Dated this the day of 2016

S.s/29.08.2016 COURT OFFICER

From 25.09.2008 the Registry is issuing certified copies of the Order/Judgment Decree in this format.

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