

IN THE HIGH COURT OF JUDICATURE AT MADRAS
(TESTAMENTARY AND INTESTATE JURISDICTION)

DATED, 6TH DAY OF OCTOBER 2016

THE HON'BLE MR. JUSTICE M.M.SUNDRESH

OP.NO.317 OF 2016

In the matter of Indian
Succession Act of XXXIX 1925
and

In the matter of Securities
of Kunjlata Santhakumar (Deceased)
Intestate

1.A.Santhakumar,
S/o. Mr.A.Aruldas,
residing at Old No.15
(New No.43), Ragamalika Apartment
B-1, West Road, West C.I.T.Nagar,
Chennai 600 035

2.Ms.Sharmilata Aruldas,
D/o. Mr.A.Santhakumar
Old No.15(New No.43)
Ragamalika Apartment
B-1, West Road, C.I.T.Nagar
Chennai 600 035

....Petitioners

This Original Petition praying that this Hon'ble
Court be pleased that a Succession Certificate may be
granted to the petitioners with power to collect the
securities and to receive interest and dividends thereon
and negotiate and transfer the securities specified in the
schedule

schedule

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

This Petition has been filed under Section 372 of the Indian Succession Act read with Order XXV Rule 6 of the Madras High Court Original Side Rules, to grant succession certificate in favour of the petitioners.

2. Heard the learned counsel for the petitioners.

3. It is the case of the petitioners that Kunjlata Santhakumar died on 02.10.2014 at Apollo Speciality Hospital, 320, Mount Road, Chennai - 35. The deceased was ordinarily residing at F2, Podhigai Apartments, 2nd Street, 3rd Main Road, Nandanam, Chennai - 34. The deceased died intestate and though due and diligent search has been made for a Will, none has been found. The deceased left certain shares in limited Companies specified in the Schedule, within the jurisdiction of this Court. The first petitioner is the husband and the second petitioner is the daughter of the deceased respectively. The parents of the deceased predeceased her. The petitioners have impleaded all the next of kin or other persons interested in the estate of the deceased. There is no next of kin or other persons interested to be impleaded. The succession certificate is required for the purpose of registering the transmission of

shares in the names of the petitioners. The total value of the shares for which the succession certificate is required is of the value of Rs.10,40,316/-. No application for a succession certificate has been made to any District Court or delegate or to any High Court. Hence, the petitioners have approached this Court for grant of succession certificate in their names with power to collect the securities and to receive interest and dividends thereon and negotiate and transfer the securities as specified in the schedule.

4.The first petitioner examined himself as P.W.1 and marked Exs.P1 to P4 viz.,

Ex.P1 is the computer generated death certificate of the first petitioner's wife Kunjlata Santhakumar, who died on 02.10.2014.

Ex.P2 is photocopy of legal heirship certificate dated 18.06.2015 in respect of the first petitioner's wife Kunjlata Santhakumar.

Ex.P3 is the photocopy of statement of valuation as on 14.03.2016 given by Integrated Enterprises (India) Limited, Chennai, bearing Client I.D.21256541 in respect of shares and securities held by the first petitioner's deceased wife Kunjlata Santhakumar.

Ex.P4 is one copy of paper publication effected in one issue of Tamil Daily Makkal Kural dated 25.06.2016.

He has further stated in his evidence that he has not

filed any other petition before any other Court seeking the same relief.

4.Considering the averments made in the petition and the documents filed by the petitioners, I am satisfied that the petitioners have succeeded the Estate of the deceased Kunjlata Santhakumar. Therefore, the petition is ordered as prayed for and a direction for grant of Succession Certificate to the petitioners with power to collect the securities and to receive interest and dividends thereon and negotiate and transfer the securities as specified in the schedule, is issued. The petitioners are directed to render account once in a year.

Sd/ M.M.S.J

06.10.2016

//Certified to be a true copy//

Dated this the day of 2017

R.s/16.03.2017

COURT OFFICER

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