IN THE HIGH COURT OF JUDICATURE AT MADRAS

(TESTAMENTARY AND INTESTATE JURISDICTION)

MONDAY, THE 24TH DAY OF JULY 2017

THE HON'BLE MR.JUSTICE C.V.KARTHIKEYAN

O.P.No.158 of 2017

In the matter of the Indian Succession Act XXXIX of 1925
And
In the matter of Securities of Vijayarangam P R (Died) Intestate.

1.P.V.Soundari,
W/o.Late Vijayarangam P R
8/2, Raja Annamalai Road,
Purasaiwakkam,
Chennai-600 084.

2.P.V.Sasikala,
W/o.Late Vijayarangam P R
8/2, Raja Annamalai Road,
Purasaiwakkam,
Chennai-600 084.

3.Prabakaran, V.Pakkam,
S/o.Late Vijayarangam P R
16316, Muirfield Drive, Odessa,
Florida, FLL 33556,
United States of America ... Pettitioners

Original Petition praying that this Hon'ble Court be pleased to that a Succession Certificate may be granted to the 1st petitioner herein with powers to collect, the securities and to receive interest, dividends thereon and negotiate and transfer the securities specified in Schedule hereunder and pass such further or other orders as this Hon'ble Court may deem fit and just grant in the circumstances of the case.

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.It is the case of the petitioners that P.R.Vijayarangam died on 28.09.2011 at 8/2, Raja Annamalai Road, Purasaiwakkam, Chennai 600 084. The deceased was ordinarily residing at the said address and he left the properties described in the schedule. The deceased died intestate and though due and diligent search has been made for a Will, none has been found. The first petitioner is the wife of the deceased. The second petitioner is the daughter of the deceased. The third petitioner is the son of the deceased. The petitioners are the Class-I legal heirs of the deceased P.R.Vijayarangam and they are entitled to claim a share to the estate of the deceased. The succession certificate is required for the purpose of claiming the shares/securities morefully described in the schedule standing in the name of the deceased. The deceased left the movable securities specified in the Schedule, within the jurisdiction of this Court. The assets in respect of which the succession certificate is required, are of the face value of Rs.5,74,000/-. The 2nd and 3rd petitioners have agreed that the amounts/shares/recoverable as specified in the schedule shall be taken exclusively by the first petitioner and they will not make any claim over the same. There is no impediment under Section 370 of the Indian Succession Act,1925 or any other enactment to grant of the certificate of the validity thereof, it it were granted. No application for a succession certificate in respect of any debt / or security belonging to the estate of the said deceased 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 favour of petitioners with power to collect the securities and to receive interest, dividends thereon and negotiate and transfer the securities.

3.The second petitioner examined herself as P.W.1 and marked Exs.P1 to P4 viz.,

Ex.P1 is the computer generated death certificate of petitioner's father P.R.Vijayarangam.

Ex.P2 is the photocopy of the legal heirship certificate dated 16.11.2011 in respect of the deceased father P.R.Vijayarangam.

Ex.P3 is the original letter dated 22.06.2016 addressed to the first petitioner by Integrated Enterprises (India) Limited, Chennai.

Ex.P4 is the copy of paper publication effected in one issue of Tamil daily "Makkal Kural" dated 23.04.2017.

She has further stated in her evidence that she 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 P.R.Vijayarangam. 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, dividends thereon and negotiate and transfer the securities. The petitioners are directed to render account once in a year.

Sd/- C.V.K.J.
24.07.2017

//Certified to be a true copy//
Dated this the day of 2017.

EM/27.07.2017 COURT OFFICER

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