

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(TESTAMENTARY AND INTESTATE JURISDICTION)

FRIDAY, THE 13TH DAY OF OCTOBER 2017

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

O.P.No.290 of 2017

In the matter of the Indian
Succession Act XXXIX of 1925

And

In the matter of Securities
belonging to M.Meenakshi -
Deceased Intestate.

1.A.Muthuraman,
S/o.Annamalai,
Old No.178, New No.10, 4th street,
Anna Nagar East,
Chennai-600 102.

2.Mrs.M.Alamalu,
D/o.A.Muthuraman,
Old No.178, New No.10, 4th street,
Anna Nagar East,
Chennai-600 102.

3.Mrs.M.Visalakshi,
D/o.A.Muthuraman,
Old No.178, New No.10, 4th street,
Anna Nagar East,
Chennai-600 102.

4.M.Krithika,
D/o.A.Muthuraman,
Old No.178, New No.10, 4th street,
Anna Nagar East,
Chennai-600 102.

...Petitioners

Original Petition praying that this Hon'ble Court be
pleased to that a Succession Certificate may be granted to
the petitioner with power to collect the securities and to
receive the interest and dividends on and negotiate and
transfer the securities specified in securities hereto.

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 M.Meenakshi, died on 10.10.2013 at Apollo Speciality Hospital, 320, Mount Road, Chennai 600 035 and the deceased was ordinarily residing at No.178, New No.10, 4th street, Anna Nagar East, Chennai 600 102. The deceased died intestate and though due and diligent search has been made for a Will, none has been found. The deceased left the amount specified in the Schedule, within the jurisdiction of this Court. First Petitioner is the husband and petitioners 2 to 4 are the daughters of the deceased. The succession certificate is required for the purpose of taking possession of liquidating the equity shares held by the deceased. The said assets in respect of which the succession certificate is required are of the value of Rs.8,63,118.80/-. 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, dividends thereon and negotiable and transfer the securities specified in the schedule hereunder.

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

Ex.P1 is the computer generated copy of the death certificate of his deceased wife Meenakshi Muthuraman, who died on 10.10.2013.

Ex.P2 is the photocopy of legal heirship certificate dated 25.11.2013 in respect of his wife.

Ex.P3 is the computer generated copy of the statement of share certificate of Fortune Wealth Management Co.India Pvt.Ltd., in respect of my shares held by his wife as on 22.02.2017.

Ex.P4 is a copy of the paper publication effected in one issue of Tamil daily "Makkal Kural" dated 04.07.2017.

5. He has further stated in his evidence that he has not filed any other petition before any other Court seeking the same relief.

6. 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 M.Meenakshi. 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 negotiable and

transfer the securities specified in the schedule hereunder, is issued. The petitioners are directed to render account once in a year.

sd/-C.V.K.J.

13.10.2017

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

EM/23.10.2017

COURT OFFICER

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