

O.P.No.939 of 2016**K.KALYANASUNDARAM, J.,**

This Petition has been filed under Section 372 of the Indian Succession Act XXXIX of 1925 read with Order XXV Rule 6 of the Madras High Court Original Side Rules, to grant succession certificate in favour of the petitioner.

2. It is the case of the petitioner that one N.Balasubramanian who expired on 02.05.2003 at his permanent residence at 1st Floor, 14(Old No.120), P.S.Sivasamy Salai, St.Ebbas Avenue, Mylapore, Chennai-600 004 and the wife of the deceased B.Saroja Balasubramanian predeceased him on 14.11.1998 at Trinity Care Hospital, Chennai. The petitioner is the daughter of the deceased N.Balasubramanian and B.Saroja, who claims over the shares held by her parents in their joint names in HDFC Bank Limited, vide Share Certificate Nos.234769 and 234770 dated 22.12.1994. The petitioner is the only surviving legal heir of both the deceased and she is praying succession certificate to claim the amount and other benefits over the shares held by her parents.

3. There is no impediment under Section 370 of the Indian Succession Act, 1925 or under any other provisions of this Act, or any other enactment to the grant of the Certificate or the validity thereof if it were granted. The said shares issued by HDFC Bank Limited in respect of which the Succession Certificate is required is of the value of Rs.13,04,000/-.

4. The petitioner examined herself as P.W.1 and marked Exs.P1 to P8 viz.,

Ex.P1 is the computer generated death certificate of her mother Saroja Balasubramanian, who died on 14.11.1998.

Ex.P2 is the original legalheirship certificate in respect of her deceased mother Saroja Balasubramanian issued by Tahsildar, Mylapore-Triplicane Taluk.

Ex.P3 is the computer generated death certificate of her father Balasubramanian N., who died on 02.05.2003.

Ex.P4 is the original legalheirship certificate in respect of her father N.Balasubramanian dated 02.06.2003 issued by Tahsildar, Mylapore-Triplicane Taluk.

Ex.P5 is the photocopy of share certificate in HDFC Bank Limited bearing Certified No.234769 which stands in the name of her father N.Balasubramanian and her mother B.Saroja (compared and verified with original).

Ex.P6 is the photocopy of share certificate in HDFC Bank Limited bearing Certified No.234770 which stands in the name of her father N.Balasubramanian and her mother B.Saroja (compared and verified with original).

Ex.P7 is the e-mail dated 26.09.2016 addressed to the petitioner from HDFC Bank Investors cell, Mumbai-400093 stating the details of shares held by her father and mother and its market value.

Ex.P8 is one copy of paper publication effected in one issue of Tamil daily "Dhina Boomi" dated 10.02.2017.

She has further stated in her evidence that she has not filed any other petition before any other Court seeking the same relief.

5. Considering the averments made in the petition and the documents filed by the petitioner, I am satisfied that the petitioner has succeeded the Estate of the deceased

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N.Balasubramanian and B.Saroja. Therefore, the petition is ordered as prayed for and a direction for grant of Succession Certificate to the petitioner with power to collect the securities and to receive interest and dividends thereon and negotiate and transfer the securities specified in the schedule, is issued. The petitioner is directed to render account once in a year.

08.05.2017

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