

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

FRIDAY, THE 27TH DAY OF APRIL 2018

THE HON'BLE MR. JUSTICE N.SATHISH KUMAR J

O.P.No.907 of 2017

In the matter of Indian
Succession Act XXXIX of 1925
and In the matter of
certain securities of
Sathyanarayanan, deceased
Intestate

1.Sridevi,
W/o.Late.M.R.Sathyanarayanan,
No.6, Vinayagar Koil Street,
Ananda Nagar, Tambaram
Sanatorium, Chennai.

2.Srinath (Minor),
Rep.by. His Mother and Natural
Guardian Sridevi,
W/o.Late.M.R.Sathyanarayanan,
No.6, Vinayagar Koil Street,
Ananda Nagar, Tambaram
Sanatorium, Chennai.

3.Srikanth Sabrish (Minor),
Rep.by. His Mother and Natural
Guardian Sridevi,
W/o.Late.M.R.Sathyanarayanan,
No.6, Vinayagar Koil Street,
Ananda Nagar, Tambaram
Sanatorium, Chennai.

4.Saraswathi,
M/o.Late.M.R.Sathyanarayanan,
No.6, Vinayagar Koil Street,
Ananda Nagar, Tambaram
Sanatorium, Chennai.

...Petitioners

VS

Radhakrishnan,
F/o.Late.M.R.Sathyanarayanan,
No.6, Vinayagar Koil Street,
Ananda Nagar, Tambaram
Sanatorium, Chennai.

..Respondents

Petition praying that this Hon'ble Court be pleased to 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 hereunder.

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

This Petition has been filed under Section 372 of the Indian Succession Act, 1925 read with Order XXV Rule 6 of the Madras High Court Original Side Rules, 1956 to grant succession certificate in favour of the petitioners.

2. It is the case of the petitioners that the deceased Mr.Sathyanarayanan, died on 29.06.2017 and he was ordinarily residing at No.6, Vinayagar Kovil Street, Anandha Nagar, Santorium Chennai 600047. The petitioners are the wife, minor sons and mother of the deceased. The deceased died intestate and though due and diligent

search has been made for a Will, none has been found. According to the petitioners, they are the Class-I legal heirs of the deceased and are entitled to the share of the estate. The succession certificate is required for the purpose of collecting the securities and to receive interest and dividends thereon and negotiate the transfer the securities specified in the schedule. No application for a succession certificate in respect of any Shares or debt or securities belonging to the estate of the said deceased has been made to any District Court or delegate or to any High Court.

3. The 1st petitioner examined herself as P.W.1 and marked Exs.P1 to P7.

(i)Ex.P1 is the photocopy of the death certificate of her husband M.R.Sathyannarayanan, who died on 10.07.2017.

(ii)Ex.P2 is the photocopy of the legal heir certificate dated 06.09.2017 in respect of her deceased husband.

(iii)Ex.P3 is the birth certificate of M.S.Srinath (minor) 2nd petitioner dated 24.04.2018.

(iv)Ex.P4 is the birth certificate of M.S.Srikanth Sabarish (minor), 3rd petitioner dated 24.04.2018.

(v)Ex.P5 is the photocopy of the Share certificate (500 shares

of Caplin Point Laboratories Ltd.,) dated 21.10.2016.

(vi)Ex.P6 is the original of the paper publication dated 03.03.2018.

(vii)Ex.P7 is the consent affidavit OF M.P.Radhakrishnan, respondent.

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 Mr.M.R.Sathyanarayanan. 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 the interest and dividends and negotiate and transfer the securities specified in the schedule, is issued. The petitioners are directed to render account once in a year.

Sd/.N.S.K.J

27.04.2018

//Certified to be a true copy//

Dated this the 2nd day of May 2018.

SL/02.05.2018

COURT OFFICER (OS)

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