

O.P.No.303 of 2019

K.KALYANASUNDARAM, J.

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 to grant Succession Certificate in favour of the fourth petitioner.

2. It is the case of the petitioners that the deceased V.Ramasamy Iyer, ordinarily resided at No.97, South Agragaram, Thenkarai, Periyakulam, Madurai and died intestate on 29.01.1993 at his residence. The deceased died intestate and left the property specified in the Schedule within the jurisdiction of this Court. Though due and diligent search has been made for a Will but none has been found. The deceased at the time of death, left behind the petitioners herein, as his Class-I legal heirs, and they are entitled to claim equal share of the estate.

3. The Succession Certificate is required for the purpose of receiving shares to the value of Rs.20,45,000/- (Rupees Twenty Lakhs Forty Five Thousand only) lying as shares of the deceased with few companies listed in the schedule hereunder. The assets in respect of which the Succession Certificate is required are of the total value of Rs.20,45,000/-. No application

has been made to any District Court or delegate or to any High Court for Probate of any Will of the deceased or for Letters of Administration with or without the Will annexed to his properties and credits and no application has been made for a Succession Certificate in respect of any debt or security belonging to the estate of the deceased to any District Court or delegate or to any High Court.

4. The fourth petitioner examined herself as PW-1 and marked exhibits Exs.P1 to P9.

- a) Ex.P1 is the original death certificate of Mr.V.Ramasamy Iyer, who died on 29.01.1993.
- b) Ex.P2 (series 3 Nos) are the photocopies of the share certificates of Amrutanjan Health Care Limited in the name of Mr.V.Ramaswamy along with the e-mail communications.
- c) Ex.P3 is the original death certificate of Mrs.Saraswathy Ramaswamy, who died on 04.01.2012.
- d) Ex.P4 is the photocopy of the Legal Heirship certificate dated 18.09.1993 in respect of Mr.V.Ramasamy Iyer (Marked after comparing and verifying with the original).
- e) Ex.P5 is the original valuation report dated 21.12.2018 issued by P.R.Sridhar partner of Anuradha Sridhar & Associates Chartered Accountants.
- f) Ex.P6 is the consent affidavit given by the 1st petitioner.
- g) Ex.P7 is the consent affidavit given by the 2nd petitioner.
- h) Ex.P8 is the consent affidavit given by the 3rd petitioner.

- i) Ex.P9 is a copy of paper publication effected in one issue of Tamil daily "Maalai Sudar" dated 12.06.2019.

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

5. Considering the averments made in the petition and the documents filed by the petitioners, I am satisfied that the fourth petitioner has succeeded the Estate of the deceased. Therefore, the petition is ordered as prayed for and a direction for grant of Succession Certificate to the fourth petitioner with power to collect the securities and to receive interest and dividends, negotiate and transfer the Schedule mentioned securities, is issued. The fourth petitioner is directed to render account once in a year.

13.11.2019

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