

O.P.No.402 of 2019

K.KALYANASUNDARAM, J.,

This petition has been filed under Section 372 of the Indian Succession Act r/w Order XXV Rule 6 of O.S. Rules to grant Succession Certificate in favour of the petitioners in respect of certain security belonging to the deceased Arunachalam Chettiar.

2. In the petition, it is stated that the deceased Arunachalam Chettiar ordinarily resided at No.23, Canal Bank Road, Raja Annamalaipuram, Chennai and died on 22.08.1982 at St. Isabels Hospital, Mylapore, Chennai leaving behind the petitioners and the respondents as his legal heirs. The deceased executed a Will dated 25.09.1974 and the same has been granted Letters of Administration probated in O.P.No.33 of 2013 by an order dated 31.10.2013, but some of the securities mentioned herein have been omitted in the said Will. Hence, the present petition.

3. The petitioners are the sons and the respondents are the daughters of the deceased. The respondents have no objection for issuance of Succession Certificate in favour of the petitioners. The asset in respect of which the succession certificate is required are of the value of Rs.39,29,978/-.

4. No application for a succession certificate in respect of any debit or security belonging to the estate of the deceased has been made to any District Court or delegate or to any High Court.

5. The second petitioner examined himself as PW1 and marked exhibits Exs.P1 to P23 and deposed evidence on behalf of other petitioners also;

- a) Ex.P1 is the computer generated copy of the death certificate of Mr.Arunachalam Chettiar, who died on 22.08.1982.
- b) Ex.P2 is the photocopy of the Legal Heirship Certificate dated 02.02.1983 in respect of Mr.Arunachalam Chettiar.
- c) Ex.P3 is the computer generated copy of the death certificate of Ms.AR.Manonmani, who died on 06.09.2011.
- d) Ex.P4 is the photocopy of the order dated 31.10.2013 in O.P.No.33 of 2013.
- e) Ex.P5 is the photocopy of the share certificate of Hindustan Lever Limited bearing registered Folio No.2811070 and certificate No.5185297 in the name of Mr.Arunachalam.
- f) Ex.P6 is the photocopy of the share certificate of TATA Global Beverages Limited bearing registered Folio No.TFP0002761 and certificate No.11662 in the name of Mr.Arunachalam.
- g) Ex.P7 (series 4 Nos.) are the photocopies of the share certificates of the Coromandel Engineering Co., Limited bearing registered Folio No.44 and Certificate Nos.1184, 1183, 1048 and 1049 in the name of Mr.Arunachalam.
- h) Ex.P8 is the photocopy of the share certificate of Reliance Power Limited bearing registered Folio No.208798931 and certificate No.004571846 along with the copy of the allotment order in the name of Mr.Arunachalam.

Reliance Capital Ventures Limited bearing registered Folio No.008798931 and certificate No.000392332 and Master Folio No.105196423 and certificate No.016619642 in the name of Mr.Arunachalam.

- j) Ex.P10 is the photocopy of the share certificate of Reliance Industries Limited bearing registered Folio No.004446607 and certificate No.66826855 in the name of Mr.Arunachalam.
- k) Ex.P11 (Series 3 Nos) are the photocopies of the share certificates of Travancore Chemical & Manufacturing Co., Limited bearing certificate Nos.A1019, A1499 and 7376 in the name of Mr.Arunachalam.
- l) Ex.P12 is the photocopy of the share certificate of Essar Ports Limited bearing registered Folio No.P003387 and certificate No.00003387 in the name of Mr.Arunachalam.
- m) Ex.P13 is the photocopy of the share certificate of Hazira Cargo Terminals Limited bearing registered Folio No.H003843 and certificate No.00003843 in the name of Mr.Arunachalam.
- n) Ex.P14 is the photocopy of the share certificate of Vadinar Oil Terminal Limited bearing registered Folio No.V004070 and certificate No.00004070 in the name of Mr.Arunachalam.
- o) Ex.P15 (series 2 Nos) are the photocopies of the share certificates of Beardsell Limited bearing registered Folio No.00006985 and certificate Nos.1649 and 4167 in the name of Mr.Arunachalam.
- p) Ex.P16 is the photocopy of the share certificate of the Lakshmi Mills Company Limited bearing registered Folio No.2887 and certificate No.2887 in the name of Mr.Arunachalam.
- q) Ex.P17 (series 3 Nos) are the photocopies of the share certificates of Binny Limited bearing certificate Nos.24659, 24660 and 34993 in the name of Mr.Arunachalam.

- r) Ex.P18 is the photocopy of the share certificate of the Madras Aluminium Company Limited bearing No.E25102 in the name of Mr.Arunachalam.
- s) Ex.P19 is the photocopy of the share certificate of I.T.C. Limited bearing registered Folio No.NA/00059 and certificate No.3161 in the name of Mr.Arunachalam.
- t) Ex.P20 is the photocopy of the share certificate of Mahindra Ugine Steel Company Limited bearing registered Folio No.E000222 and certificate No.055912 in the name of Mr.Arunachalam.
- u) Ex.P21 is the consent affidavit given by the 1st respondent.
- v) Ex.P22 is the consent affidavit given by the 2nd respondent.
- w) Ex.P23 is a copy of paper publication effected in one issue of Tamil daily "Maalai Sudar" dated 03.08.2019.

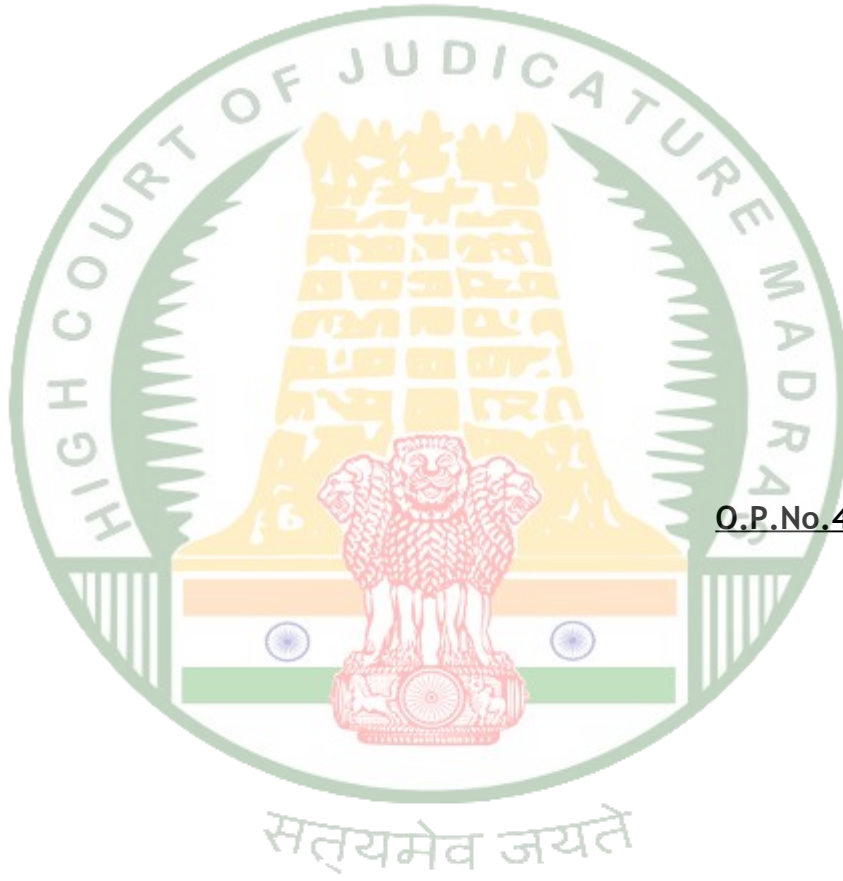
6. Considering the averments made in the petition and the documents filed by the petitioner, I am satisfied that the petitioners have succeeded the Estate of the deceased. Therefore, the petition is ordered as prayed for and a direction for grant of Succession Certificate to the petitioners with power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

27.09.2019

pvs

K.KALYANASUNDARAM, J.,

pvs



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