

O.P.No.339 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 petitioner.

2. It is the case of the petitioner that the deceased M.Partapmal Jain, ordinarily resided at Door No.39, Kuppu Muthu Mudali Street, Triplicane, Chennai-600 005 and died on 06.11.2004 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 petitioner herein, as his Class-I legal heirs, and he is entitled to the entire share of the estate.

3. The Succession Certificate is required for the purpose of claiming the amount lying in the form of Shares in Link Intime India Pvt., Ltd., situated at CIN:U67190MH1999PTC118368, C-101, 247, 247 Park, LBS, Marg Vikhroli (West), Mumbai-400 083, as mentioned in the Schedule hereto payable to the deceased. The said assets in respect of which the Succession Certificate is required are of the total value of Rs.8,64,000/-. 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 petitioner examined himself as PW-1 and marked exhibits Exs.P1 to P5.

- a) Ex.P1 is the photocopy of the death certificate of Mr.Pratap Mal Jain, who died on 06.11.2004 (Marked after comparing and verifying with the original).
- b) Ex.P2 is the photocopy of the Legal Heirship certificate dated 04.07.2009 in respect of Mr.Pratap Mal Jain (Marked after comparing and verifying with the original).
- c) Ex.P3 is the photocopy of the letter dated 28.11.2018 addressed to him by the Link Intime India Private Limited in respect of the shares held by Mr.M.Partapmal Jain (Marked after comparing and verifying with the original).
- d) Ex.P4 is the photocopy of his Aadhaar card bearing No.7995 6595 1694 (Marked after comparing and verifying with the original).
- e) Ex.P5 is a copy of paper publication effected in one issue of Tamil daily "Thina Boomi" dated 05.10.2019.

He has further stated in his evidence that he has not filed any other petition 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. 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, negotiate and transfer the Schedule mentioned securities, is issued. The petitioner is directed to render account once in a year.

KMI

20.11.2019

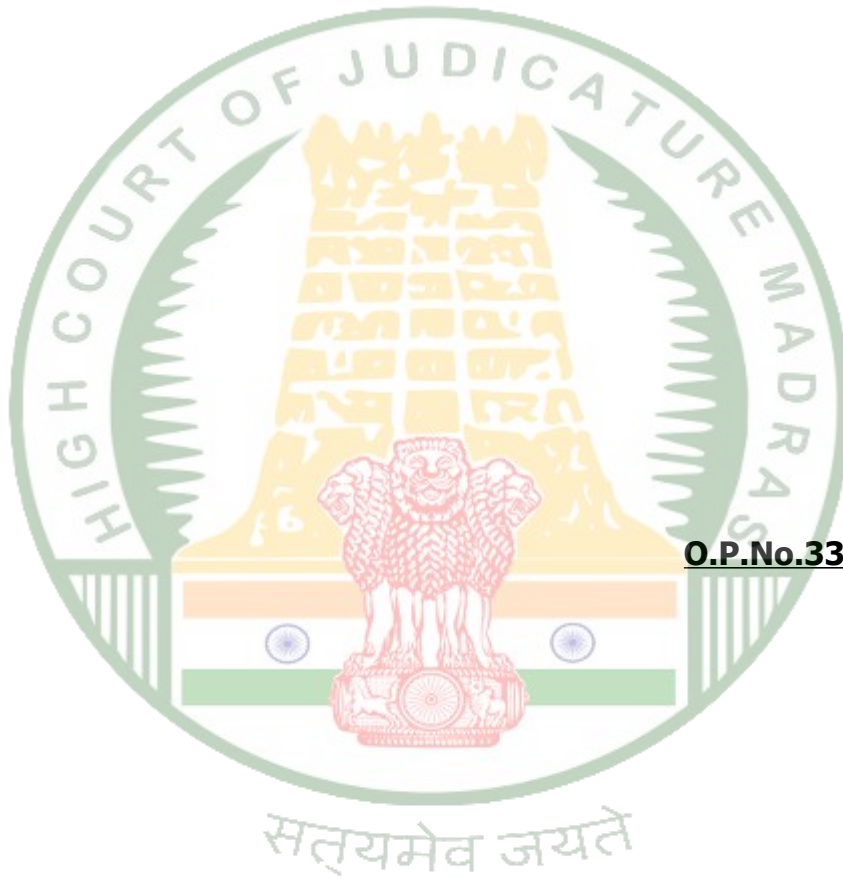


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