

O.P.No.560 of 2018

K.KALYANASUNDARAM, J.

This Petition has been filed under Section 372 of the Indian Succession Act, 1925 r/w Order XXV Rule 6 of O.S Rules for grant of succession certificate.

2.In the petition, it is stated that the deceased M.Govindarajan, died on 31.05.2013 at No.132/6 (Old No.135/6), Rajalakshmi Apartments, Lake View Road, West Mambalam, Chennai-600 033 and he was ordinarily resided at the above mentioned address and left the properties within the jurisdiction of this Court. The deceased died intestate and though due and diligent search has been made for Will, but, none has been found. The deceased is the husband of the first petitioner and father of the petitioners 2 to 6. The deceased at the time of his death left behind the petitioners herein as his only surviving legal heirs, who claims to be entitled a share of the estate of the deceased. The succession certificate is required for the purpose of transmission of the shares/securities of the deceased for the value of Rs.19,22,670/-.

3.No application has been made at any District court or delegate or to

any other High Court for probate of any Will of the said deceased or Letters of Administration with or without the Will annexed to his property and credits or for a Succession Certificate. Hence, the petitioners have approached this Court for grant of Succession Certificate in favour of the petitioners, with power to collect the securities and to receive the interest and dividends or proceeds and negotiate and transfer the securities specified in the schedule.

4.The sixth petitioner examined herself as P.W.1 and deposed evidence and also marked the following documents viz., Exs.P1 to P4.

i) Ex.P1 is the computer generated death certificate of my father M.Govindarajan, who died on 31.05.2013.

ii) Ex.P2 is the photocopy of the Legal Heirship Certificate dated 04.09.2013 in respect of my deceased father M.Govindarajan (Witness says that the original Legal Heirship Certificate has been submitted to the company along with the application for transmission of shares).

iii) Ex.P3 is the photocopy of the letter dated 30.01.2018, issued by Sundaram-Clayton Limited along with share certificate bearing certificate No.2922, issued by Sundaram-Clayton Limited in favour of Govindarajan Mahalingam and share certificate bearing Certificate No.003727, issued by Wabco-TVS (India) Limited in favour of Govindarajan Manalingam (Witness says

that the original letter dated 30.01.2018 has been misplaced and the original share certificates have been surrendered to the respective companies).

iv) Ex.P4 is a copy of paper publication effected in one issue of Tamil daily "Maalai Sudar" dated 28.08.2018.

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 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 the interest and dividends or proceeds thereon and negotiate and transfer, is issued. The petitioners are directed to render account once in a year.

सत्यमेव जयते

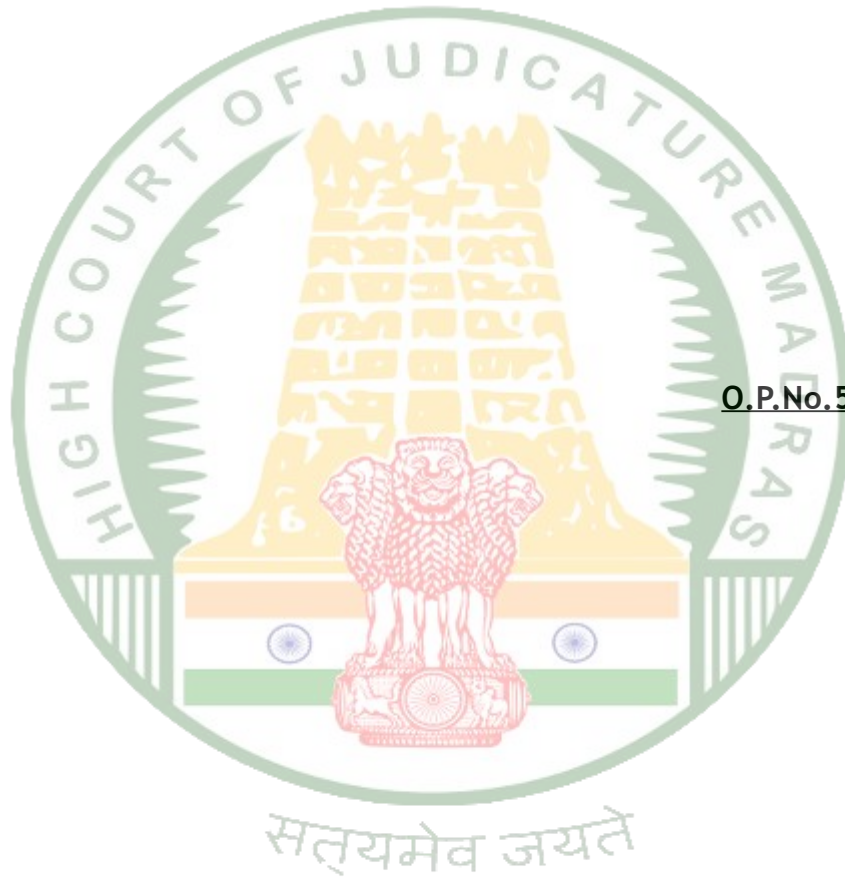
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