

O.P.No.615 of 2018

K.KALYANASUNDARAM, J.,

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

2. It is the case of the petitioners that the deceased R.A.J.Ramakrishna Rao, died on 08.09.2016, at C.S.I.Kalyani General Hospital, Mylapore, Chennai and he was ordinarily resided at No.6/57, Pycrofts 1st Street, Royapettah, Chennai - 600 014 and left the properties within the jurisdiction of this Court. The deceased died intestate and that due and diligent search has been made for a Will, but none has been found. The deceased at the time of his death left behind his wife, son and daughter, the petitioners herein as his surviving legal heirs. The parents of the deceased predeceased him. Hence, the petitioners herein as the next of kin and there are no other next of kin or other persons interested, to be impleaded. The petitioners are the class I legal heirs of the deceased, who claims to be entitled for 1/3 share in each of the estate of the deceased. The succession certificate is required for the purpose of claiming the benefits in the share certificates of the deceased, which is mentioned in

the schedule for the value of Rs.12,31,456/-.

3. It is further stated that 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 their properties and credits and no application had been filed for a succession certificate in respect of any debt or security belonging to the estate of the said deceased has been made to any District Court or delegate or to any High Court. Hence, the petitioners have approached this Court for grant of Succession Certificate with power to collect the securities and to receive the dividends thereon and negotiate and transfer the securities as specified in the schedule.

4. The first petitioner examined herself as P.W1 and marked Exs.P1 to P9 viz.,

- i) Ex.P1 is the computer generated death certificate of her husband Ramakrishna Rao R.A.J., who died on 08.09.2016.
- ii) Ex.P2 is the photocopy of the Legal Heirship Certificate dated 14.11.2016 in respect of Ramakrishna Rao R.A.J.
- iii) Ex.P3 is the photocopy of the share certificate bearing certificate No.606943 standing in the name of Ramakrishna Rao A.J., issued by Shriram Transport Finance Company Limited.

- iv) Ex.P4 (series 2 Nos) are the photocopies of the share certificates bearing certificate Nos.17189 and 006286 standing in the name of Ramakrishna Rao A.J., issued by TVS Motor Company Limited.
- v) Ex.P5 is the original letter dated 29.12.2017, addressed to her by Integrated Registry Management Services Private Limited, regarding transmission of shares held by her deceased husband.
- vi) Ex.P6 is the photocopy of her Aadhaar Card bearing No.9840 3167 7429.
- vii) Ex.P7 is the photocopy of the Driving Licence of Ganesh Rao R.A.R., the 2nd petitioner, bearing D.L.No.TN06 20110002397 (Witness says that the original driving licence with her son Ganesha Rao, who is now in U.S.A).
- viii) Ex.P8 is the photocopy of the Aadhaar Card of R.A.R.Yaamini Rao, the 3rd petitioner, bearing No.7890 4942 2309.
- ix) Ex.P9 is a copy of paper publication effected in one issue of Tamil daily "Maalai Sudar" dated 11.09.2018.

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

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5.Considering the averments made in the petition and the documents filed by the petitioners, I am satisfied that the petitioners 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 petitioners with power to collect the securities and dividends thereon and negotiate and transfer the securities as specified in the schedule. The petitioners are directed to render account once in a year.

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05.09.2019

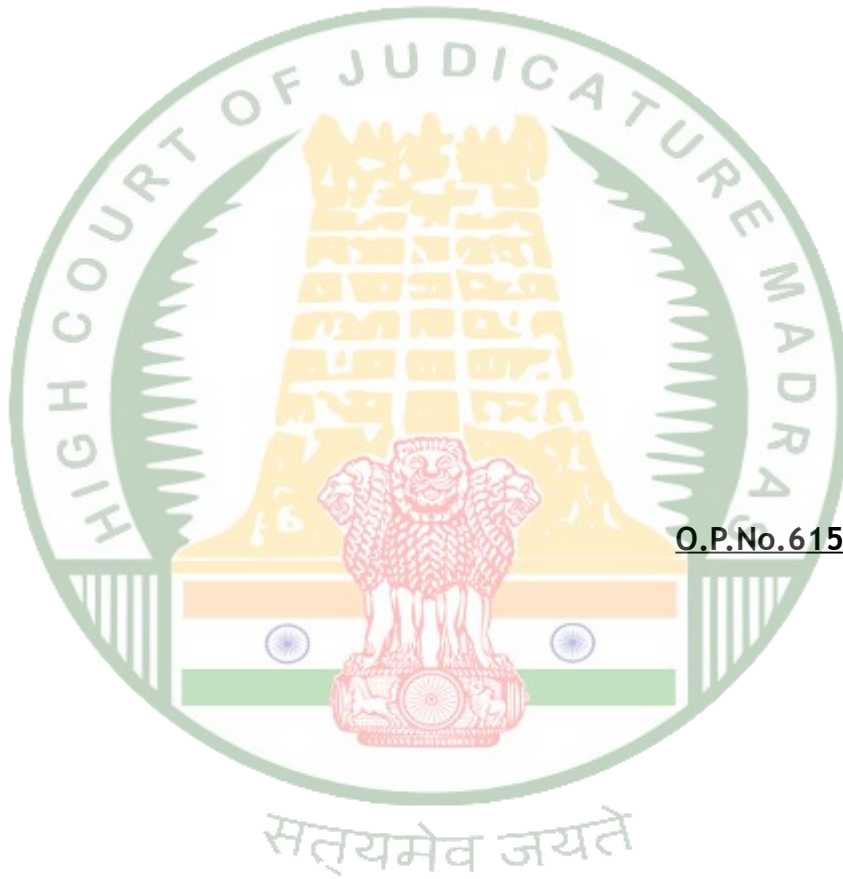


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