

O.P.No.707 of 2019

SENTHILKUMAR RAMAMOORTHY,J

This petition has been filed under Section 372 of the Indian Succession Act 1925 read with Order XXV Rule 6 of the Original Side Rules for grant of succession certificate to the first petitioner in respect of the securities specified in the schedule to the petition with the power to collect the securities and to receive the interest or dividends thereon and negotiate and transfer the said securities.

2. I heard the learned counsel for the petitioners.

3. The learned counsel for the petitioners submits that the first petitioner is the wife of the deceased, S.Ranganathan, and the second and third petitioners are the son and daughter respectively of the deceased. He further submits that the deceased died on 08.02.2018 at No.246, Savithiri Nivas, Ramana Ragar, Chengam Road, Tiruvannamalai, Tamil Nadu, but the properties/estate of the deceased are within the jurisdiction of this Court. He further submits that evidence was recorded before the learned Master by examining the first petitioner as P.W.1. He also submits that the following documents were exhibited:

i. Ex.P1 is the original death certificate the deceased S.Ranganathan, who died on 08.02.2018.

ii. Ex.P2 is the photocopy of the Legal Heirship certificate dated 06.03.2018 in respect of the deceased S.Ranganathan.

iii. Ex.P3 is the photocopy of the letter dated 14.05.2008 addressed to the deceased by Wabco-TVS (Indi) Limited along with the photocopy of the share certificate bearing certificate No.004157, issued by Wabco India Limited, standing in the name of the deceased Ranganathan.

iv. Ex.P4 is the photocopy of the letter dated 28.09.2012 addressed to the deceased by Sundaram-Clayton Limited along with the photocopy of the share certificate bearing certificate No.3266, issued by Sundaram-Clayton Limited, standing in the name of the deceased S.Ranganathan.

v. Ex.P5 is the original letter dated 07.05.2019 issued by Reliable Stocks & Shares (Mumbai) Private Limited, Chennai - 004.

vi. Ex.P6 is the photocopy of Aadhaar card of the first petitioner, who is the wife of the deceased, bearing No.7380 1716 4429.

vii. Ex.P7 is the photocopy of the Aadhaar card of the deceased, bearing No.4512 3451 5748.

viii. Ex.P8 is the photocopy of the Aadhaar card of the second petitioner Ramanan Ranganathan bearing No.8188 6795 0989.

ix. Ex.P9 is the photocopy of the Aadhaar card of the third petitioner Aparna Kannan bearing No.7027 5638 0448.

x. Ex.P10 is the consent affidavit given by the second petitioner along with the photocopy of his passport.

xi. Ex.P11 is the consent affidavit given by the third petitioner.

xii. Ex.P12 is the copy of paper publication effected in one issue of Tamily daily " Maalai Sudar", dated 19.10.2019.

4. Based on the above, he submitted that this petition is liable to be allowed so as to enable the petitioner to collect the securities and take further action in respect thereof.

5. I considered the submissions of the learned counsel for the petitioners and examined the evidence. From the evidence recorded in this case, the following is evident:

i. The husband of the first petitioner, S.Ranganathan, died on 08.02.2018, as evidenced by the death certificate [Ex.P1].

ii. The legal heirship certificate dated 06.03.2018 reflects the names of the three petitioners as the class I legal heirs of the deceased S.Ranganathan [Ex.P2].

6. It is stated in the petition that the parents of the deceased, pre-deceased him. Both the other class I legal heirs have given consent affidavits [Ex.P10 and Ex.P11]. In view of the fact that the second petitioner resides

outside India, the photocopy of the passport with visa in respect of the second petitioner have been filed along with Ex.P10. Paper publication was effected in the Tamil daily " Maalai Sudar" dated 19.10.2019 [Ex.P.12]

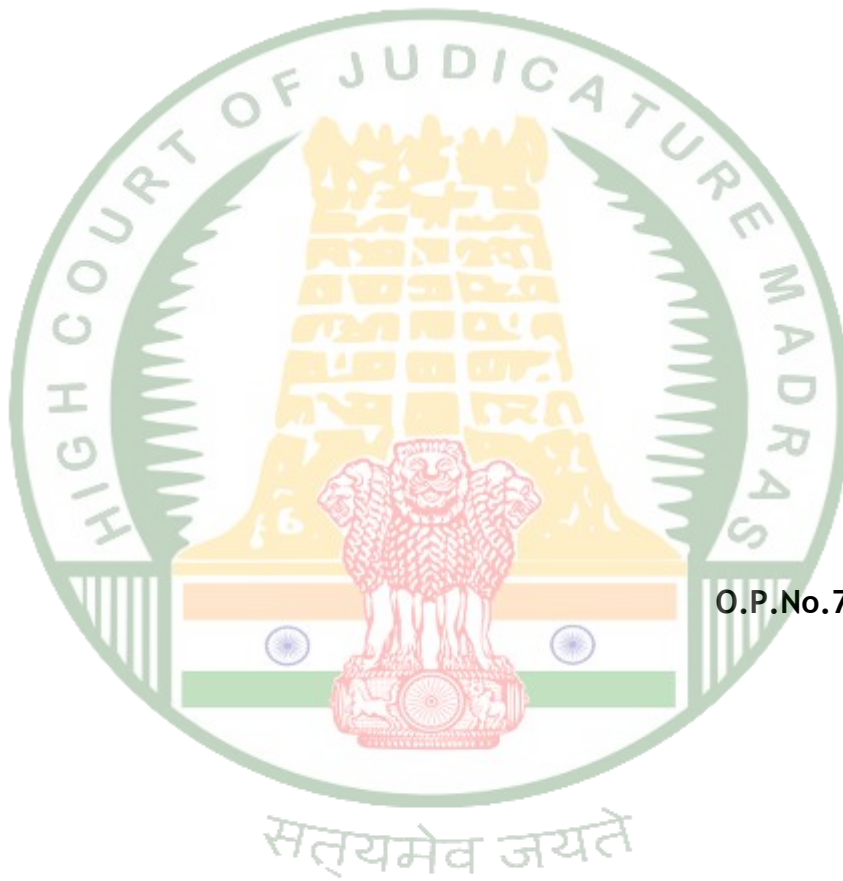
7. It is also stated in the petition that no application was filed previously for grant of Probate before any District Court or delegate or High Court or for letter of administration, with or without annexing a Will or for a Succession certificate in respect of the estate of the deceased.

8. Upon considering the submissions of the learned counsel and on examining the evidence and petition, as narrated above, the petitioners have made out a case for the grant of Succession Certificate as prayed for. Consequently, this petition is allowed by directing that the Succession Certificate be granted to the first petitioner, Mrs.Saraswathy Ranganathan, in respect of the securities specified in the schedule to the petition with the power to collect the securities and to receive the dividends thereon or accretions thereto by way of bonus shares etc., and negotiate and transfer the securities.

04.12.2019

SENTHILKUMAR RAMAMOORTHY, J.

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