



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(TESTAMENTARY AND INTESTATE JURISDICTION)

TUESDAY, THE 17TH DAY OF DECEMBER 2019

THE HON'BLE MR. JUSTICE SENTHILKUMAR RAMAMOORTHY

O.P.No.712 of 2019

In the matter of the
Indian Succession Act,
1925

and

In the matter of
Securities of T.Rajaram
(Deceased)

1. R. SATHISHKUMAR
S/o.Late T.Rajaram,
Old No.46/1, New No.38/1,
Agraharam Street, Chintadripet,
Chennai-600002.

2. R.GANGA
W/o.Late T.Rajaram,
Old No.46/1, New No.38/1,
Agraharam Street, Chintadripet,
Chennai-600002.

3. V.TAMILSELVI
D/o.Late T.Rajaram,
and W/o.Vijaykumar,
No.1334, Poombuhar Nagar,
19th Street, Kolathur,
Tiruvallur, Tamilnadu-600099.

..Petitioners

Original Petition praying that this Hon'ble Court be pleased that a succession certificate may be granted to the 1st petitioner with power to collect the securities and to receive interest, dividends thereon negotiate and transfer the securities if any specified in the schedule in the petition.



This Original Petition coming on this day before this court for hearing the court made the following order:

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This petition has been filed for grant of Succession Certificate to the first petitioner in respect of the securities specified in the schedule to the petition.

2. I heard the learned counsel for the petitioners.

3. The learned counsel for the petitioners submitted that the first petitioner is the son of the deceased Mr.T. Rajaram and that the second petitioner is his wife and the third petitioner is his daughter. He further submitted that the deceased Mr.T. Rajaram died on 07.08.2018 at old No.46/1, New No.38/1, Agraharam Street, Chintadripet, Chennai - 600 002, which was also his place of ordinary residence. He further submitted that the Succession Certificate is requested in respect of the securities/shares specified in the schedule to the petition.

4. In support of the petition, the learned counsel pointed out that evidence was adduced and that the first petitioner was examined as PW1. In the course of the examination of PW1, 10 documents were exhibited. On the above basis, the learned counsel further submitted that the first petitioner is entitled for the grant of Succession Certificate in his favour.

5. Upon considering the submissions made by the learned counsel for the petitioner and on examining the evidence recorded in the case, the following is noted:

(i) The father of the first petitioner, the deceased, Mr.T.Rajaram, died on 07.08.2018 at old No.46/1, New No.38/1, Agraharam Street, Chintadripet, Chennai - 600 002, within the jurisdiction of this Court.

(ii) The Legal heirship Certificate dated 09.10.2010 reflects the names of the three petitioners as the only Class-I legal heirs of the deceased.



(iii) The other Class-I legal heirs viz., the second and third petitioners have given consent affidavits (Ex.P8 and Ex.P9) .

(iv) The petitioners have effected paper publication in one issue of the Tamil daily "Makkal Kural" dated 26.10.2019 (Ex.P10) .

6. It is stated in the petition that no previous application was 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 annexing the Will and no previous application for issuance of Succession Certificate was filed in respect of the estate of the deceased.

7. From the foregoing, it is clear that the petitioners have made out a case for the grant of Succession Certificate to the first petitioner.

8. Accordingly, this petition is allowed by directing that the Succession Certificate be granted to the first petitioner in respect of the securities/shares specified in the schedule to the petition with power to collect the securities, receive the dividends thereon and negotiate and transfer the said shares/securities.

Sd/.S.K.R.J.

17.12.2019

//Certified to be a true copy//
Dated this the day of 2020.

SU/03.01.2020

COURT OFFICER

From 25.09.2008 the Registry is issuing certified copies of the Order/Judgment Decree in this format.