



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

WEDNESDAY, THE 16TH DAY OF DECEMBER 2020

THE HON'BLE MR. JUSTICE N.SATHISH KUMAR

O.P.No.220 of 2020

In the matter of the
Indian Succession Act
XXXIX of 1925

and

In the matter of certain
securities in respect of
V.Krishnan Kumar deceased
intestate

1. MRS.LATHA KRISHNA KUMAR,
Aged about 62 years,
W/o.Late V.Krishna Kumar,
Flat No.A-2, "Anmol Abhinandan",
Seshadripuram 1st Main Road,
Baby Nagar, Velachery,
Chennai-600 042

2.Mrs.K.POORNIMA,
aged about 35 years,
D/o.Late V.Krishnan Kumar,
S.M.Signature Apartment,
Flat No.107, 1st Floor, No.198,
2nd Main Road, Muni Reddy Layout,
Horamavu, Bangalore-560 043

3.Mrs.K.SARANYA,
aged about 32 years,
D/o.Late V.Krishna Kumar,



“Thirumala Cyber Residency”,
Flat No.208, Sree Prabhupada Township,
Masjidbanda, Kondapur,
Hyderabad-500 084

..Petitioners

Original Petition praying that this Hon'ble Court be pleased that a Succession Certificate may be granted to the petitioners with power to collect the securities, and to receive the interest and dividends on and negotiate and transfer the securities 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:

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

2. Heard the learned counsel for the petitioners.

3. It is the case of the petitioners that the deceased V. Krishna Kumar is husband of the first petitioner and father of the petitioners 2 and 3. The said V. Krishna Kumar died on 22.06.2015. The petitioners are the class I legal heirs of the deceased Krishna Kumar. The deceased died ~~intestate and though~~ due and diligent search has been made for a Will, none has been found in respect of the debts mentioned in the schedule. The



deceased left the securities in the form of shares specified in the Schedule, within the jurisdiction of this Court. The value of the assets of the deceased comes to Rs.19,49,250/-. The succession certificate is required for the purpose of collecting the debts. Hence, the petitioners have approached this Court for grant of succession certificate in favour of the first petitioner with power to collect the debts as specified in the schedule.

4. On the side of the petitioners, the first petitioner was examined as P.W.1 and marked Ex.P1 to Ex.P.27.

5. P.W.1 in her evidence had narrated the averments made in the petition stating that the petitioners have filed this petition for grant of Succession Certificate in favour of the first petitioner. Ex.P.9 is the death certificate of V. Krishna Kumar, who died on 22.06.2015. Ex.P.10 is the photocopy of the dividend payment letted dated 10.08.2015 with photocopy of the cheque dated 10.08.2015 issued in the name of V.Krishna Kumar by Avanti Feeds Limited. Ex.P11 is the legal Heirship certificate dated 16.09.2015. Exs.P.17 to P.23 are the letters addressed by the concerned company. Exs.P.25 & P.26 are the consent affidavit given by the petitioners 2 and 3.



6. 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 V. Krishna Kumar. Therefore, the petition is ordered as prayed for and a direction for grant of Succession Certificate in favour of the first petitioner with power to collect the debts and to receive interest specified in the schedule, is issued.

Sd/.N.S.K.J.
16.12.2020

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

SU/23.12.2020

COURT OFFICER(O.S.)

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