

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

TUESDAY, THE 11TH DAY OF FEBRUARY 2020

THE HON'BLE MR. JUSTICE SENTHILKUMAR RAMAMOORTHY

A. No.557 of 2020
in
O.P.No.534 of 2018

In the matter of Indian
Succession Act, XXXIX of
1925
and

In the matter of
securities
M.Subramanian (died
intestate)

1. MRS.S.RAJESWARI
W/o.late M.Subramanian,
No.J-2, Manek Apartments,
Shanthi Colony, Jeevarathinam Nagar,
Adyar, Chennai- 600 020 ..Applicant /Petitioner

1.MR.V.S.PREMANAND
S/o.Late M.Subramanian, No.171,
Tanjong Rhu, #02-01, Tower D,
Water Place, Condo, Singapore - 436 931

2. MR.S.VIJAYANAND
S/o.Late M.Subramanian, No.105,
Duane St, 21B, New York,
NY 10007, USA ..Respondents/Respondents

This application praying that this Hon'ble Court be
pleased to amend the schedule in the Judges Summon.

This application coming on this day before this court
for hearing the court made the following order:-

This application is filed to amend the schedule to the
petition in O.P.No.534 of 2018 by incorporating the name,
address and the petitioner's husband's Demat account number

in the said schedule.

2. I heard the learned counsel for the applicant/petitioner and the learned counsel for the respondents.

3. The learned counsel for the applicant/petitioner submitted that O.P.No.534 of 2018 was allowed by this Court by order dated 20.12.2018 and the Succession Certificate was issued to the applicant / Petitioner, pursuant to the said order. However, when the applicant approached the Indbank Merchant Banking Service Limited (Depository Participant) for transmission of shares in the name of the applicant, the Depository Participant requested the applicant to obtain an order from the Court mentioning the name, address and also the applicant's husband's Demat account number in the schedule. Therefore, he submits the present application has been filed.

4. The learned counsel for the respondents submits that she has no objection if this application is allowed.

5. Upon considering the submissions of the learned counsel and on examining the affidavit in support of the application and the petition in O.P.No.534 of 2018, it is clear that the assets of the deceased consist of the shares set out in the schedule to the judges summons. However, the particulars of the Demat account number have been inadvertently omitted therefrom. Accordingly, this application is liable to be allowed.

6. Therefore, this application is allowed by permitting the amendment of the schedule to the petition in O.P.No.534 of 2018 as prayed for. Consequently, the Registry is directed to issue a fresh Succession Certificate after incorporating the particulars from the amended schedule.

Sd/.S.K.R.J.

11.02.2020

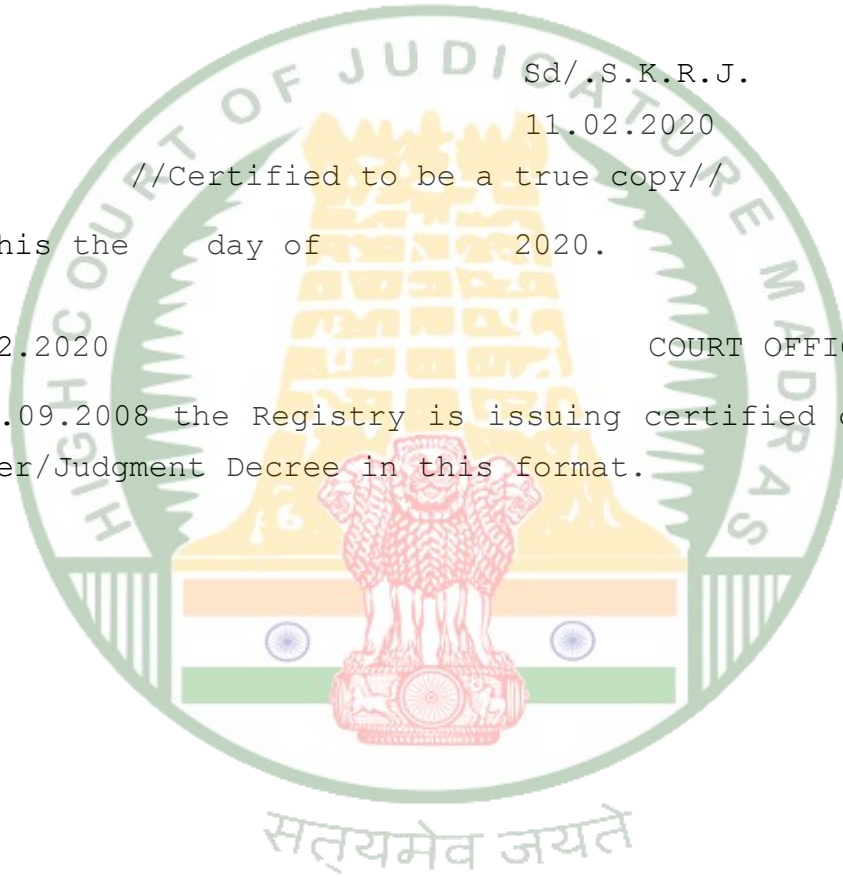
//Certified to be a true copy//

Dated this the day of 2020.

SU/14.02.2020

COURT OFFICER

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



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