

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

WEDNESDAY, THE 04TH DAY OF MARCH 2020

THE HON'BLE MR. JUSTICE SENTHILKUMAR RAMAMOORTHY

A.No.960 of 2020
and
O.P.SR.No.6422 of 2020

Petition for Successin Certificate
in-respect for certain securities
belonging to the deceased
S.R.Sethuraman, under Part X of
the Indian Succession Act.

1. MRS.JEYA IYER

D/o.S.R.Sethuraman

Having address at

Vijayashree Apartments, New No.118

Old NO.72, Kamaraj Aveue, IInd Street,

Adyar, Chennai 600 020.

Tamil Nadu, India.

2. MR.SRIRANGAM SETHURAMAN SRIRAM

S/o.S.R.Sethuraman

Having address at 46

Maywood Irvine,

CA 92602 USA.

3. MR.SRIRANGAM SETHURAMAN MOHAN RAM

S/o.S.R.Sethuraman

Having address at 11215

Georgia Ace Apt 1204

Wheaton MD 20902 USA.

4. MRS.VERONICA W.A.IYER

W/o.Mr.Venkataraman Iyer

Having address at 15 Callender Road,

Rome, OH 44085, USA.

5. MR.SRIRANGAM RAJARAM
 S/o.S.R.Sethuraman
 Having address at 6885 Forest Park
 DR Mississauga ON, L5N 6X7 Canada.

(2 to 5 Petitioners are represented by their Power to Attorney,
 the 1st petitioner herein) ..Applicants/Petitioners

A.No.960 of 2019:

Application praying that this Hon'ble Court be pleased to direct the registry to accept Court Fee of Rs.61,850/- paid by these Applicants in O.P.DIARY.No.6422/2020 as succession duty instead of remitting in Reseve Bank of India.

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

This application is filed to direct the Registry to accept the Court Fee of Rs.61,850/- which was paid by the applicants in O.P.SR.No.6422 of 2020 instead of remitting the same in the Reserve Bank of India.

2. I heard the learned counsel for the applicants.

3. The learned counsel for the applicants submitted that when O.P.SR.No.6422 of 2020 was filed, the applicants inadvertently paid the duty of Rs.61,850/- representing 3% of the value of the estate in the form of Court Fee Stamps instead of remitting the same in the Reserve Bank of

direct the Registry to accept the said Court Fee instead of the Reserve Bank remittance challan.

4. I considered the submissions of the learned counsel and examined the affidavit in support of the application and also the petition in O.P.SR.No.6422 of 2020. As stated, I find that Court Fee Stamps have been annexed for a sum of Rs.61,850/-, which represents 3% of the value of the estate as stated in the petition. Therefore, the interest of revenue is fulfilled and this application is liable to be allowed by exercising discretionary power.

5. Accordingly, this application is allowed and the Registry is directed to accept the Court Fee of Rs.61,850/- paid by the applicants in O.P.SR. No.6422 of 2020 as succession duty instead of making the remittance in the Reserve Bank of India. Consequently, the Registry is directed to number and list the Original Petition, if it is otherwise in order.

WEB COPY

Sd/.S.K.R.J.
04.03.2020

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

SU/04.03.2020

COURT OFFICER

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