



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

THURSDAY, THE 02ND DAY OF JANUARY 2020

THE HON'BLE MR. JUSTICE SENTHILKUMAR RAMAMOORTHY

O.P.No.666 of 2019

Petition for succession certificate of certain shares belonging to Late A.Girishkumar under part X of the Indian Succession Act.

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

In the matter of
securities
A.Girishkumar-
Intestate Deceased.

1. A.G.SUREKHA
Wife of Late A. Girishkumar
Residing at No.886, Flat No-H I Block,
31st Street, Kambar Colony,
Anna Nagar West,
Chennai- 600 040

2. A.G.LAKSHITHA (MINOR)
Aged about 16 years,
Represented by her Mother A.G. Surekha
as guardian Residing at No. 886,
Flat No-H, I Block, 31st Street,
Kambar Colony, Anna Nagar west,
Chennai- 600040

..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 and dividends on and negotiate and transfer the securities specified in the schedule in the petition.

<https://hcservices.ecourts.gov.in/hcservices/>

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



This petition is filed for the grant of Succession Certificate to the first petitioner in respect of the estate of her deceased husband Mr. A.Girishkumar.

2. I heard the learned counsel for the petitioners. The learned counsel for the petitioners submitted that the husband of the first petitioner died on 01.11.2009 at Sundaram Medical Foundation, Anna Nagar, Chennai 600 040, and that the deceased ordinarily resided at 16-B, Shanmugarajan Street, Old Washermenpet, Chennai 600 021, leaving behind the assets/shares specified in the schedule to the petition. He further submitted that the mother of the deceased died on 25.12.2010. He also pointed out that evidence was adduced in support of the petition and that the first petitioner was examined as P.W.1. He pointed out that the following 9 documents were exhibited through P.W.1:

- (1)Ex.P1 - computer generated death certificate of Mr.A.Girish Kumar, the husband of P.W.1, who died on 01.11.2009.
- (2)ExP2 - Photocopy of the Legal Heirship certificate dated October 2011 in respect of the deceased Mr.A.Girish Kumar.
- (3)Ex.P3 - Photocopy of the birth certificate of A.G.Laksita, the daughter of P.W.1, who was born on 04.12.2003.
- (4)Ex.P4 - Photocopy of Aadhaar card of P.W.1 bearing No.8032 1663 1256.
- (5)Ex.P5 - Computer generated death certificate of Mrs.A.Renuka, mother of the deceased Mr.A.Girish Kumar, who died on 25.12.2010.
- (6)Ex.P6 - Photocopy of the death certificate of Mr.A.Balakrishnan, father of the deceased A.Girish Kumar, who died on 15.07.2001.
- (7)Ex.P7 - Photocopies of the share certificates (series 7 Nos) standing in the name of the



petitioner's interest in the estate is liable to be protected until she attains the age of majority.

5. It is stated in the petition that no 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 the will annexed and that no earlier application was filed for issuing Succession Certificate in respect of the estate of the deceased Mr.A.Girish Kumar.

6. Therefore, this petition is allowed by directing that a succession certificate be granted to the first petitioner in respect of the assets specified in the schedule to the petition with the power to receive interest and dividends thereon and to negotiate and transfer the securities. The aforesaid shall be subject to the condition that two separate demat accounts shall be opened and 50% of each of the shares should be deposited in a demat account opened by the first petitioner in the name of the second petitioner as a legal guardian and such shares shall not be transferred and dividends in respect of the said shares shall also not be appropriated until the second petitioner attained the age of majority.

Sd/.S.K.R.J.

02.01.2020

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

SU/07.01.2020

COURT OFFICER

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