



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

TUESDAY, THE 07TH DAY OF JANUARY 2020

THE HON'BLE MR. JUSTICE SENTHILKUMAR RAMAMOORTHY

O.P. No.592 of 2019

In the matter of Section
Succession Act XXXIX of 1925
and
In the matter of certain
Securities in respect of
Mr.V.Natarajan - deceased
Intestate.

O.P. No.592 of 2019:

1. Mr.SANKARAN.N.
(52 years),

No.2, Nehru Street, Anna Nagar,
Pammal, Chennai-600075.

2. MEENAKSHI SUNDARAM.N.(85 years)
W/o.Natarajan, No.2, Nehru Street,
Anna Nagar, Pammal, Chennai-600075.

3. Mrs.ANANDAVALLI R.(61 years)
W/o.Radhakrishnan,
Palayakaran Cross Street, Kodambakkam,
Chennai-600024.

4. Mrs.RAJESWARI K.(57 years)
W/o.Kalanjiappan No.1, Shanthi Nagar,
Lospet, Pondicherry.

5. Mr.RAMESH N.(54 years)
No.2, Nehru Street, Anna Nagar,
Pammal, Chennai-600075.

..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 the interset and dividends on and negotiate and
transfer the securities specified in the Schedule.



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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 1925 and Order XXV Rule 6 of O.S.Rules to grant succession certificate in favour of the first petitioner with power to collect the securities and to receive the interest and dividends thereon and negotiate and transfer 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 submits that the first petitioner is the son of the late Mr.V.Natarajan, who died at Hindu Mission Hospital, West Tambaram, Chennai-600 075 on 26.10.2013 and ordinarily resided at No.2, Nehru Street, Anna Nagar, Pammal, Chennai-600 075, which is within the jurisdiction of this Court. He further submitted that the second petitioner is his mother and petitioners 3 to 5 are his siblings.

4. In support of the petition, the learned counsel for the petitioners submitted that evidence was adduced and that the first petitioner was examined as PW1. During the course of the evidence of PW1, he submitted that the following twelve documents were exhibited:-

1. Ex.P1 is the photocopy of the letter dated 22.05.1995 addressed to V.Natarajan regarding PNB Equity Growth Fund (Marked after comparing and verifying with the original).

2. Ex.P2 is the photocopy of the letter dated 27.12.2003 sent to Mr.V.Natarajan by TVS Motor Company Limited along with the photocopy of the share certificate bearing

<https://hcservices.ecourts.gov.in/hcservices/> Certificate No.007138 standing in the name of V.Natarajan issued by TVS Motor Company



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Limited.

3. Ex.P3 is the photocopy of the letter dated 13.09.2005 sent to V.Natarajan by Hindalco Industries Limited.
4. Ex.P4 is the photocopy of the first petitioner's Aadhaar card bearing No.8639 5982 9599.
5. Ex.P5 is the photocopy of the death certificate of V.Natarajan, who died on 26.10.2013.
6. Ex.P6 is the photocopy of the Legal Heirship Certificate dated 21.05.2014 in respect of V.Natarajan.
7. Ex.P7 is the photocopy of the Aadhaar card of the 2nd petitioner Meenakshi Sundaram bearing No.6835 3068 1254.
8. Ex.P8 is the photo copy of the Aadhaar card of the 3rd petitioner Anandavalli bearing No.9660 1105 3121.
9. Ex.P9 is the photo copy of the Electoral Identity Card of the 4th petitioner Rajeswari bearing No.PY/01/003.
10. Ex.P10 is the photocopy of the Aadhaar card of the 5th petitioner Ramesh bearing No.9840 7873 4131.
11. Ex.P11 is the joint consent affidavit given by the petitioners 2 to 5.



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12.Ex.P12 is a copy of paper publication effected in one issue of Tamil daily "Makkal Kural" dated 27.09.2019.

On the above basis, he submitted that the petition may be allowed by granting Succession Certificate to the first petitioner.

5. I considered the submissions of the learned counsel and examined the evidence on record.

6. From the above, the following is evident:

(a) the Death Certificate of the first petitioner's father has been filed as Ex.P5.

(b) the photocopy of the Legal Heirship Certificate dated 21.05.2014 of the first petitioner's father is filed as Ex.P6 and the said document (Ex.P6) shows that the petitioners are the only class-I legal heirs of the deceased, Mr.V.Natarajan.

(c) the joint consent affidavit of petitioners 2 to 5 has been filed as Ex.P11.

(d) the paper publication has been filed as Ex.P12.

7. It is stated in the petition that no Will was

