

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.03.2020

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

O.P.No.837 of 2019

1. Mr. V. Janakiraman
2. Mrs. V. Vasantha Veeraragavan
3. Mr. V. Ramamurthy
4. Mr. V. Suryanarayanan

... Petitioners

PRAYER: Petition for Issue of Succession Certificate under Section 372 of the Indian Succession Act, 1925 and under ORDER XXV Rule 6 of O.S. Rules

For Petitioner : Mr. T. Ananthasekar

ORDER

The above petition is filed by the legal heirs of deceased R. Venkatarmani for grant of a Succession Certificate to the 1st petitioner, his son with respect of the schedule mentioned securities.

2. The said R. Venkataramani owned the schedule mentioned shares. He died intestate on 05.03.1999 at West Mambalam leaving behind him surviving his wife and his children the petitioners herein. His wife Jayalakshmi died on 01.06.2013 leaving behind the petitioners as her sole surviving legal heirs.

3. The petitioners would contend that they were unaware about the legal process for transferring the shares standing to the name of the deceased which has contributed to the delay. The petitioner 2 to 4 have given their consent for the grant of Succession Certificate in the name of the

1st petitioner. Though separate consent affidavits have not been filed they have jointly filed the petition. Paper publication in one issue of the Tamil daily "Malai Sudar" has been inserted on 10.12.2019 and no objections have been received.

4. The 1st petitioner has been examined as Pw1. The death certificate of R. Venkataramani has been marked as Ex. P1. Likewise the death certificate of Jayalakshmi has been marked as Ex.P3. The copy of the share certificate has been marked as Ex. P4 and the paper publication as Ex P5.

5. On a perusal of the petition and the evidence, both oral and documentary it is seen that the petitioners are the only legal heirs of Late R.Venkataramani in whose name the schedule mentioned shares stand. Petitioner 2 to 4 have in the petition itself expressed their consent to the grant of Succession Certificate to the 1st petitioner. The Paper Publication Ex. P5 has also evoked no objection for the grant.

6. Therefore the OP is ordered as prayed for.

23.03.2020

mrn

Index : Yes/No

Speaking order/non-speaking order



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P.T.ASHA, J,

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