



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

FRIDAY, THE 08TH DAY OF OCTOBER 2021

THE HON'BLE MR. JUSTICE V.PARTHIBAN

O.P.No.1037 of 2019

In the matter of Indian
Succession Act XXXIX of
1925
and
In the matter of certain
Securities of K.B.Subramanian
died intestate

1. * MRS.PRIYA NATASHA SUBRAMANIAN
(Amended as per Ord.dt.27.04.2021
in A.No.1882/2021)

W/o.Late Mr.K.B.Subramanian,
No.3, Venus Colony, II Street Alwarpet,
Chennai-600 018

2. MS.S.TARA MANIAN,
Age 29 years,
D/o.Late Mr.K.B.Subramanian,
No.3, Venus Colony,
II Street Alwarpet, Chennai-600 018

3. MRS.RAJALAKSHMI MANIAN,
Age 86 years,
W/o.Late Mr.B.S.Manian,
No.3, Venus Colony,
II Street Alwarpet, Chennai-600 018

..Petitioners



Original Petition praying that this Hon'ble Court be pleased to grant

Succession Certificate to * **MRS.PRIYA NATASHA SUBRAMANIAN**, the 1st petitioner herein, with the power to collect the securities and to receive the interest and dividends on and negotiate and transfer the securities specified in the Schedule (of this petition).

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 read with Order XXV Rule 6 of the Madras High Court Original Side Rules, to grant succession certificate in favour of the 1st petitioner.

2. The petitioners are the wife, daughter and mother of one K.B.Subramanian. The said K.B.Subramanian died at Apollo Hospital, Chennai on 22.04.2009, who ordinarily resided at No.3, Venus Colony, II Street, Alwarpet, Chennai – 600 018. The father of the deceased predeceased him. The petitioners are the class-I legal heirs of the deceased. Therefore, the petitioners are entitled to the amount as mentioned in the schedule. There are no other legal heirs to be impleaded in this petition.



3. The deceased died intestate and though due and diligent search has been made for a Will, none has been found. According to the petitioners, the entire benefits which the legal heirs are entitled to, shall be given in favour of the petitioners. The succession certificate is required for the purpose of enabling the 1st petitioner to transmit the shares in her name. The said assets in respect of which the succession certificate is required, are of the value of Rs.3,13,58,436/-. No application for a succession certificate in respect of any debt or security belonging to the estate of the said deceased and no application for probate of any will of the said deceased or for letters of administration with or without the will annexed to his properties and credits, have been made to any District Court or delegate or to any High Court. Hence, the petitioners have approached this Court for grant of succession certificate to the petitioners with power to collect the debts and to receive the interest and dividends on and negotiate and transfer the securities specified in the schedule.

4. The first petitioner examined himself as P.W.1 and marked Exs.P1 to P6. Ex.P1 is the computer generated death certificate of K.B.Subramanian, who died on 12.04.2009. Ex.P2 is the photocopy of the certified copy of the Legal Heir ship certificate dated 17.06.2011 in respect of K.B.Subramanian. Ex.P3 is the computer generated statement of holding as on 10.10.2018 in respect of the demat account (Client Id : 10645360)



held by Subramanian Bala Kavassery. Ex.P4 is the original letter dated 29.06.2018 sent to Priya Manian by Link Intime India Private Limited. Ex.P5 is the joint consent affidavit given by the petitioners 2 and 3. Ex.P6 is a copy of paper publication effected in one issue of Tamil daily "Maalai Sudar" dated 21.03.2020.

5.Considering the averments made in the petition and the documents filed by the petitioners, this Court is of the view that the petitioners have succeeded to the Estate of the deceased K.B.Subramanian. Therefore, the petition is ordered as prayed for and a direction for grant of Succession Certificate to the first petitioner with power to collect the debts and to receive the interest and dividends on and negotiate and transfer the securities specified in the schedule, is issued. The first petitioner is directed to render accounts once in a year.

Sd/.V.P.N.J.
08.10.2021

//Certified to be a true copy//
Dated this the day of 2021

SU/27.10.2021 COURT OFFICER(O.S.)

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