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

MONDAY, THE 29TH DAY OF NOVEMBER 2021

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

O.P.No.467 of 2021

In the matter of Indian
Succession Act XXXIX of 1925
and
In the matter of securities of
Mr.G.Soundarapandian-Deceased
Intestate

1. Mrs.S.MUTHURATHINAM
W/o.Late G.Soundarapandian,
C-1, Amar Vijay Apartment,
No.1 and 2, Gill Nagar 1st Street,
Choolaimedu, Chennai-600 094

2.Mrs. S.VELVIZHI
W/o.Mr.Selvam,
D/o.Late G.Soundarapandian,
37-H, South Marret Street,
Madurai South, Madurai-625 001

3.Mr. S.KANAHAVEL
S/o.Late G.Soundarapandian,
No.40, 1st Floor, 48th Street,
9th Avenue, Ashok Nagar,
Chennai-600 083

4.Mr. S.RAMMOHAN
S/o.Late G.Soundarapandian,
No.8, Valluvar Street Extn,
Veena Garden, Arumbakkam,



Chennai-600 106

5.Mrs. V.AMUTHA
W/o.Mr.Venkatasubramanian,
D/o.Late Mr.G.Soundarapandian,
No.37-1, LIC-VOC Colony,
Coimbatore South,
Coimbatore-641 021

..Petitioners

Original Petition praying that this Hon'ble Court be pleased to grant a Succession Certificate in respect of the securities of the deceased Mr.G.Soundarapandian in favour of the first petitioner, with power to collect the securities and to receive the interest and dividends thereon and also to negotiate and to transfer the securities specified in the schedule in the 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 first petitioner.



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3. The first petitioner is the wife and the petitioners No.2 to 5 are the children of the deceased G.Soundarapandian, in whose name, the securities specified in the schedule to the petition stands. Mr.G.Soundarapandian died on 14.11.2012. The petitioners No.2 to 5 have given consent to the first petitioner/wife of the deceased G.Soundarapandian to obtain Succession Certificate for the aforementioned securities.

4. Before the learned Master, the first petitioner Mrs.S.Muthurathinam, who is the wife of the deceased G.Soundarapandian, has examined herself as a witness P.W.1 and the following documents were marked as Exhibits on the side of the petitioners:-

<i>Exhibits</i>	<i>Nature of the document</i>
Ex.P-1	Computer Generated Death Certificate of G.Soundarapandian, who died on 14.11.2012.
Ex.P-2	Photocopy of the Legal Heirship Certificate dated 07.09.2015 in respect of the deceased G.Soundarapandian.
Ex.P-3	Photocopy of the Share Certificate bearing Certificate No.1026 held by the deceased G.Soundarapandian in Hatsun Agro Produce Limited.
Ex.P-4	Photocopy of the Share Certificate bearing Certificate No.2490 held by the deceased G.Soundarapandian in Hatsun Agro Product Limited.
Ex.P-5	Photocopy of the Share Certificate bearing Certificate No.3393 held by the deceased G.Soundarapandian in Hatsun Agro Product Limited dated 16.07.2016.
Ex.P-6	Photocopy of the Share Certificate bearing Certificate No.4412 held by the deceased G.Soundarapandian in



<i>Exhibits</i>	<i>Nature of the document</i>
	Hatsun Agro Product Limited dated 11.12.2020.
Ex.P.7	Consent Affidavit given by the 2nd petitioner.
Ex.P.8	Consent Affidavit given by the 3rd petitioner.
Ex.P.9	Consent Affidavit given by the 4th petitioner.
Ex.P.10	Consent Affidavit given by the 5th petitioner.
Ex.P.11	Copy of paper publication effected in one issue of Tamil Daily Dina Kural" dated 15.09.2021.

5. As seen from the evidence available on record, it is clear that the securities mentioned in the schedule to the petition stands in the name of the deceased G.Soundarapandian, who died on 14.11.2012 and the petitioners are his legal heirs. The petitioners 2 to 5, who are the children of the deceased G.Soundarapandian, have given their consent affidavits before the learned Master, which have been marked as Exs.P.7 to P.10 respectively, stating that they have no objection for granting Succession Certificate in favour of the 1st petitioner, who is the wife of the deceased G.Soundarapandian.

6. After giving due consideration to the evidence available on record and after perusing the affidavit filed in support of the petition, I am satisfied that the first petitioner has succeeded the Estate of the deceased G.Soundarapandian. Therefore, the petition is ordered as prayed for and a



petitioner/Mrs.S.Muthurathinam with power to collect the debts with accrued interest and securities, receive the dividends thereon and negotiate and transfer the securities specified in the schedule, is issued. The first petitioner is directed to render account once in a year.

Sd/.A.Q.J.
29.11.2021

//Certified to be a true copy//

Dated at Madras this the day of 2021.

SU./06.12.2021

COURT OFFICER(O.S.)

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