

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

FRIDAY, THE 12TH DAY OF FEBRUARY 2021

THE HON'BLE MR. JUSTICE R.PONGIAPPAN

O.P. No.363 of 2020

In the matter of the Indian
Succession Act XXXIX of 1925

and

In the matter of securities belonging
to Sridhar Ramanathan, died
intestate

1. MR.UMA SRIDHAR
W/O SRIDHAR,
NO.28, 1ST CROSS STREET,
WEST CIT NAGAR,
NANDANAM,
CHENNAI- 600 035

2.MR. VASANT
S/O SRIDHAR,
NO.28, 1ST CROSS STREET,
WEST CIT NAGAR,
NANDANAM,
CHENNAI- 600 035

3.Mrs.VISALAM
M/O SRIDHAR,
NO.28, 1ST CROSS STREET,
WEST CIT NAGAR,
NANDANAM,
CHENNAI- 600 035

..Petitioners

Original Petition praying that this Hon'ble Court be pleased that a succession certificate may be granted to the 1st petitioner with the power to collect the securities and to receive interest and dividends thereon and negotiate and 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 Sections 372, Part X of the Indian Succession Act 1925 under Order XXV Rule 6 of the Original Side Rules, to grant succession certificate in favour of the first petitioner.

2. Heard the learned counsel for the petitioners.

3. It is the case of the petitioners that the first petitioner is the wife of the deceased Sridhar and the second and third petitioners are the son and mother of the deceased respectively. The above said Sridhar died intestate on 21.04.2004. The deceased ordinarily resided at No.28, 1st Cross Street, West CIT Nagar, Nandanam, Chennai – 600 035 and left the shares specified in the Schedule, within the jurisdiction of this Court. The deceased died intestate and though due and diligent search has been made for a Will, none has been found. The deceased left the shares specified in the Schedule, within the jurisdiction of this Court. The succession certificate is required for the purpose of name transfer of shares of the deceased. The said shares in respect of which the Succession Certificate is

required are for the value of Rs.2,24,995/-. No application for a succession certificate has 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 in the name of first petitioner with power to collect the debts as specified in the schedule.

4.The first petitioner was examined as P.W.1 and sixteen documents viz., Exs.P1 to Ex.P.16 were marked through her.

5. P.W.1 in her evidence has stated that 2nd petitioner is her son and 3rd petitioner is her mother-in-law. She was filing her proof affidavit and the same may be treated as part and parcel of her examination-in-chief. In continuation of her proof affidavit, the following documents were marked as exhibits on her side. ExP1 is the photocopy of the Certificate dated 24.03.1976 No.78818. Ex.P2 is the photocopy of the Letter dated 30.08.2019 sent by company showing the certificate No.1549-FOLIO No.PX006673-distinctive No.2266816-2267065. Ex P3 is the photocopy of the Death certificate dated 21.04.2004. Ex.P4 is the photocopy of the Legal Heir Certificate dated 22.06.2004. Ex.P5 is the photocopy of the Aadhar Card of Uma Sridhar. Ex.P6 is the photocopy of the Aadhar Card of Vasant. Ex.P7 is the photocopy of the Aadhar card of Visalam. Ex.P8 is the photocopy of the Share Certificate dated 05.02.1980 No.25149.Ex.P9 is the photocopy of the share certificate dated 05.02.1980 No.25150. Ex.P10 is the

photocopy of the share certificate dated 04.06.2010 No.00039475. ExP11 is the photocopy of the Share Certificate dated 04.06.2010 No.00000798. EPI2 is the photocopy of the Share Certificate dated 11.03.1998 No 24151. E P13 is the photocopy of the Share Certificate dated 11.03.1998 No.36197. ExP14 is the photocopy of the Share Certificate dated 07.08.1981 NO.00021725. Ex.PI5 is the photocopy of the Share Certificate dated 20.06.1984 No.00040522. Ex. P16 is the photocopy of the Share Certificate dated 13.05.1993 No R- 000610.

6. Considering the averments made in the petition and the documents filed by the petitioners, I am satisfied that the first petitioner has succeeded the Estate of the deceased Sridhar. 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 as specified in the schedule, is issued.

Sd/.R.P.A.J.
12.02.2021

//Certified to be a true copy//

Dated this the th day of 2021.

SU/10.03.2021. COURT OFFICER(O.S.)

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