



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

FRIDAY, THE 30TH DAY OF JULY 2021

THE HON'BLE MR. JUSTICE V.PARTHIBAN

O.P.No. 465 of 2020

In the matter of Indian
Succession Act XXXIX of 1925
and
In the matter of certain debts /
securities belonging to Mrs.K.Thara ,
died intestate

1. K.SANTOSH MOHAN RAO
S/o.Dr.K.Mohan Rao,
Old No.1075, New No.104,
Poonamallee High Road,
Chennai-600 084

2.Mrs. K.SHUBA
W/o.N.Harish Bhat,
B-84, Sunnyvale Apartments,
351, Konnur High Road,
Ayanavaram,
Chennai-600 023

..Petitioners

-Vs-

DR.K.MOHAN RAO
Old No.1075, New No.104,
Poonamallee High Road,
Chennai-600 084

..Respondent

<https://hcservices.ecourts.gov.in/hcservices/> Original Petition praying that this Hon'ble Court be pleased to grant a

Succession Certificate to and in favour of the Petitioners herein with power



to collect the securities and to receive interest, dividends thereon and negotiate and transfer the securities that are more fully detailed 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 petitioners.

2. The petitioners are the son and daughter of Dr.K.Mohan Rao who is the respondent herein. The mother of the petitioners K.Thara died on 05.05.2019, leaving behind the petitioners and the respondent as surviving legal heirs. The deceased ordinarily resided at Old No.1075, New No.104, Poonamallee High Road, Chennai and left the schedule properties within the jurisdiction of this Court. The deceased K.Thara died leaving behind the petitioners and respondent as class-I legal heirs. The deceased K.Thara had purchased many shares in various companies to the worth of Rs.38,88,242/-. As class-I legal heirs, the petitioners and the respondent are entitled to a share in the estate of the deceased K.Thara as specified in the schedule hereto. According to the petitioners, the respondent herein has expressed his



willingness and readiness to give his consent for granting this succession certificate to the petitioners.

3. The deceased died intestate and though due and diligent search has been made for a Will, none has been found. The succession certificate is required for the purpose of name transfer and for payment of sum in the account of the deceased. The said assets in respect of which the succession certificate is required, are of the value of Rs.38,88,242/-. 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 their 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 P12. Ex.P1 is the computer generated death certificate of the Thara Mohan Rao.K, who died on 05.05.2019. Ex.P2 is the computer generated Legal Heirship Certificate dated 20.07.2019 in respect of Thara Mohan



Rao.K. Ex.P3 are the photocopies of the share certificates of the Karnataka Bank Limited standing in the name of Mrs.K.Thara. Ex.P4 is the photocopy of the share certificate bearing certificate No.2556 issued by Lakshmi Trade Credits Limited standing in the name of Mrs.K.Thara and Dr.K.Mohan Rao. Ex.P5 is the photocopy of the share certificate bearing certificate No.E03126 issued by Seshasayee Paper and Boards Limited standing in the name of Mrs.K.Thara. Ex.P6 is the photocopy of the share certificate bearing certificate No.0615771 issued by Usha Martin standing in the name of K.Thara. Ex.P7 is the photocopy of the share certificate bearing certificate No.00304958 issued by Exide Industries Limited standing in the name of K.Thara. Ex.P8 are the photocopies of the share certificates of Indian Organic Chemicals Limited standing in the name of K.Thara. Ex.P9 are the photocopies of the share certificates of Goodyear India Limited standing in the name of K.Thara. Ex.P10 are the photocopies of the share certificates of Universal Cables Limited standing in the name of K.Thara. Ex.P11 is the photocopy of the share certificate bearing certificate N0.000016473 issued by Innovassynth Investments Limited standing in the name of K.Thara. Ex.P12 is a copy of paper publication effected in one issue of Tamil daily “Makkal Kural” dated 18.02.2021.

5.Considering the averments made in the petition and the documents



the Estate of the deceased K.Thara. Therefore, the petition is ordered as prayed for and a direction 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, is issued. The petitioners are directed to render account once in a year.

Sd/.V.P.N.J.
30.07.2021

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

SU-01.09.2021 COURT OFFICER(O.S.)

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