

O.P.No.509 of 2021**V.PARTHIBAN,J.**

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.It is the case of the petitioners that they are the legal heirs of deceased D.Shyamdas. The petitioners are the sons of the deceased. The said D.Shyamdas died on 23.01.2019 at Kauvery Hospital, MBC Towers, 199/90, Luz Church Road, Mylapore, Chennai-600004. Other than the petitioners, there are no other relatives to succeed the estate as Class-I heir. Prior to and at the time of his death, the deceased had his fixed place of residence at Lakshmi Apartments, No.104, Flat No.C-5, Lloyds Road(Opposte Tamilnadu Bank), Royapettah, Chennai, Tamil Nadu-600014. He left the schedule mentioned properties and died within the jurisdiction of this Court. The deceased was holding a number of shares in one company. On account of the death, the petitioners being his successors, are entitled for the securities held by the deceased. 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 transferring of securities of

deceased in favour of the petitioners. The asset in respect of which the succession certificate is required is of the value of Rs.10,10,350/-. No application for a succession certificate in respect of any debt or security belonging to the estate of the said deceased 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 their name with power to collect the debts and to receive the interest and dividends on and negotiate and transfer the securities specified in the schedule.

3.The petitioner examined himself as P.W.1 and marked Exs.P1 to P5. Ex.P1 is the computer generated death certificate of D.Shyamdas, who died on 23.01.2019. Ex.P2 is the computer generated death certificate of Leela Shyam Dass, who died on 27.11.1996. Ex.P3 is the computer generated Legal Heirship certificate dated 11.12.2019 in respect of D.Shyamdas. Ex.P4 is the photocopy of the share certificate bearing certificate No.608424 standing in the name of D.Shyamdas. Ex.P5 is a copy of paper publication effected in one issue of Tamil daily "Makkal Kural" dated 28.08.2021.

4.Considering the averments made in the petition and the documents filed by the petitioners, this Court satisfied that the

petitioners have succeeded the Estate of the deceased D.Shyamdas. 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.

tri/mrm



29.10.2021

WEB COPY

V.PARTHIBAN,J.

tri/mrm



O.P.No.509 of 2021

WEB COPY

29.10.2021