



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

FRIDAY, THE 10TH DAY OF DECEMBER 2021

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

O.P.No.534 of 2019

In the matter of Indian Succession
Act, 1925

and

In the matter of securities belonging
to Y.Harsha Vardhana Prasad-
Intestate deceased.

1. TMT.Y.SUCHARITHA PRASAD
W/o.Late Y.Harsha Vardhana Prasad,
No.4, Fourth Lane,
Nungambakkam High Road,
Chennai-600034.

2.SMT.Y.MUKTA RATNAMBA
W/o.Mr.Manesh Joseph
15, Ramjith Road,
Kotturpuram, Chennai-600085.

3.SRI.Y.PRASANTH PRASAD
S/o.Late Y.Harsha Vardhana Prasad
No.4, Fourth Lane,
Nungambakkam High Road,
Chennai-600034.

..Petitioners

Original Petition praying that this Hon'ble Court be pleased that a



collect the securities and to receive the interest and dividends on and negotiate and transfer for 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 for Succession Certificate.

2. The first petitioner is the wife, the second petitioner is the daughter and the third petitioner is the son of the deceased S.R.Y.Harsha Vardhana Prasad who died on 22.01.2010 and left behind the securities mentioned in the schedule to the petition filed in support of O.P. No.534 of 2019.

3. Since the Companies in which the said securities were held by the deceased, have insisted for the production of Succession Certificate, the petitioners have approached this Court seeking for Succession Certificate.

4. Before the learned Master, the first petitioner was examined as a witness (P.W.1) and she has deposed on behalf of the remaining two petitioners also. In her deposition, she has reiterated the contents of the petition filed in support of this O.P. No.534 of 2019. Through P.W.1, the



<i>Exhibits</i>	<i>Nature of the document</i>
Ex.P-1	Computer generated death certificate of the petitioner's husband S.R.Y.Harsha Vardhana Prasad, who died on 22.01.2010.
Ex.P-2	Photocopy of the Legal Heirship Certificate dated 18.06.2010 in respect of S.R.Y.Harsha Vardhana Prasad
Ex.P-3	Photocopies of the demat account held in three companies by the deceased S.R.Y.Harsha Vardhana Prasad given by Sharekhan Limited, Mumbai.
Ex.P-4	Photocopies of the share certificates bearing certificate Nos.203 and 2721 issued by Beardsell Limited held by the deceased S.R.Y.Harsha Vardhana Prasad.
Ex.P-5	Photocopy of the share certificate bearing certificate No.24791 issued by Mettur Beardsell Limited held by the deceased S.R.Y.Harsha Vardhana Prasad.
Ex.P-6	Photocopy of the share certificates bearing certificate No.A1130 issued by the Jeypore Sugar Company Limited held by the deceased S.R.Y.Harsha Vardhana Prasad.
Ex.P-7	Photocopy of the share certificates bearing certificate No.A1129 issued by the Jeypore Sugar Company Limited held by the deceased S.R.Y.Harsha Vardhana Prasad.
Ex.P-8	Photocopy of the share certificates bearing certificate No.612 issued by the Jeypore Sugar Company Limited held by the deceased S.R.Y.Harsha Vardhana Prasad.
Ex.P-9	Photocopy of the share certificates bearing certificate No.551 issued by the Jeypore Sugar Company Limited held by the deceased S.R.Y.Harsha Vardhana Prasad.
Ex.P-10	Photocopy of the share certificates bearing certificate No.10235 issued by the Jeypore Sugar Company Limited held by the deceased S.R.Y.Harsha Vardhana Prasad.
Ex.P-11	Photocopy of the share certificates bearing certificate No.10236 issued by the Jeypore Sugar Company Limited held by the deceased S.R.Y.Harsha Vardhana Prasad.
Ex.P-12	Photocopy of the share certificates bearing certificate No.10237 issued by the Jeypore Sugar Company Limited held by the deceased S.R.Y.Harsha Vardhana Prasad.
Ex.P-13	Photocopy of the share certificates bearing certificate No.10238 issued by the Jeypore Sugar Company Limited held by the deceased S.R.Y.Harsha Vardhana Prasad.
Ex.P-14	Photocopy of the share certificates bearing certificate No.10239 issued by the Jeypore Sugar Company Limited held by the deceased S.R.Y.Harsha Vardhana Prasad.



<i>Exhibits</i>	<i>Nature of the document</i>
Ex.P-15	Photocopy of the share certificates bearing certificate No.10240 issued by the Jeypore Sugar Company Limited held by the deceased S.R.Y.Harsha Vardhana Prasad.
Ex.P-16	Photocopy of the share certificates bearing certificate No.10234 issued by the Jeypore Sugar Company Limited held by the deceased S.R.Y.Harsha Vardhana Prasad.
Ex.P-17	Photocopy of the share certificates bearing certificate No.349631 issued by the The Tata Iron and Steel Company Limited held by the deceased S.R.Y.Harsha Vardhana Prasad.
Ex.P-18	Copy of paper publication effected in one issue of Tamil daily "Maalai Sudar" dated 17.10.2019.

5. As seen from the evidence available on record, S.R.Y.Harsha Vardhana Prasad died on 22.01.2010 as seen from the Death Certificate which has been marked as Ex.P1. The first petitioner being the wife, the second petitioner being the daughter and the third petitioner being the son are the only legal heirs of the deceased, S.R.Y.Harsha Vardhana Prasad and the legal heirship certificate of S.R.Y.Harsha Vardhana Prasad has also been marked as Ex.P2 which confirms that the petitioners are his only legal heirs. The details of the shares/ securities held by S.R.Y.Harsha Vardhana Prasad are also confirmed through Ex.P3 to Ex.P17. The petitioners have also effected paper publication in one issue of Tamil daily, viz., "Maalai Sudar" dated 17.10.2019 with regard to the request for grant of Succession Certificate from this Court. The second and third petitioners have also filed their consent affidavits before this Court stating their No Objection for the grant of Succession Certificate in favour of the first petitioner.



6. An averment has also been made in the petition that no application has been made to the District Court or delegate or to any High Court for Probate of any Will of the deceased or Letters of Administration with or without the Will annexed to the properties and credits of the deceased. No application for Succession Certificate in respect of any debts or security belonging to the estate of the deceased has been made to any District Court or delegate or to any High Court.

7. After perusing and examining the pleadings as well as the evidence available on record, this Court is inclined to grant Succession Certificate in favour of the first petitioner as prayed for in O.P. No.534 of 2019. Accordingly, O.P. No.534 of 2019 is allowed.

Sd/.A.Q.J.
10.12.2021

//Certified to be a true copy//

Dated at Madras this the day of 2021.

SU./28.12.2021

COURT OFFICER(O.S.)

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