



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.662 of 2019

In the matter of Indian
Succession Act, 1925
and

In the matter of securities of
S.Ramanathan (deceased)

MRS.REVATHY RAMANATHAN
W/o.Late Sri.S.Ramanathan,
No.13/5, Rajagopalan Street,
West Mambalam,
Chennai-33

..Petitioner

-Vs-

1. MRS.NIVEDITA RAMANATHAN
Wife of Mr. R.K.Ajay,
A-201, Bren Celestia,
Sarjapur Road, Kaikondrahalli,
Bangalore- 560035

2. MS. NIRUPAMA RAMANATHAN
Daughter of Late S.Ramanathan,
Muhlstrasse 512A,
64319 Pfungstadt, Germany

..Respondents



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Original Petition praying that this Hon'ble Court be pleased that a Succession Certificate may be granted to the petitioner with 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 for Succession Certificate.

2. The petitioner is the wife of the deceased, S.Ramanathan, who died on 24.04.2017 leaving behind the petitioner and the respondents who are his daughters as his only legal heirs. The deceased, S.Ramanathan died leaving behind certain securities/ debts which are mentioned in the schedule to the petition filed in support of O.P. No.662 of 2019.

3. Since the Companies in which the said securities were held by Late S.Ramanathan, insisted for the production of Succession Certificate, the petitioner has approached this Court seeking for grant of Succession Certificate.

4. Before the learned Master, the petitioner was examined as a witness (P.W.1) and she has reiterated the contents of the petition filed in support of O.P. No.662 of 2019, in her deposition. Through P.W.1, the



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<i>Exhibits</i>	<i>Nature of the document</i>
Ex.P-1	Original death certificate of the petitioner's husband S.Ramanathan, who died on 24.04.2017
Ex.P-2	Photocopy of the Legal Heirship Certificate dated 20.07.2017 in respect of the deceased S.Ramanathan.
Ex.P-3	Computer generated statement of holding valuation, holding dated 14.01.2019 given by Kotak Securities Limited in respect of shares and securities held by the deceased S.Ramanathan
Ex.P-4	Photocopy of the Aadhaar Card of the petitioner bearing No.9832 2946 3079.
Ex.P-5	Consent Affidavit given by the first respondent stating that she has no objection in grant of succession certificate.
Ex.P-6	Consent Affidavit given by the second respondent stating that she has no objection in grant of succession certificate.
Ex.P-7	Copy of paper publication effected in one issue of Tamil daily "Makkal Kural" dated 21.01.2021.

5. The first respondent has also given her consent affidavit which has been marked as Ex.P5, stating No Objection for the grant of Succession Certificate in favour of the petitioner. Similarly, the second respondent has also given her consent affidavit, stating her No Objection for the grant of Succession Certificate in favour of the petitioner which has been marked as Ex.P6. As seen from the legal heirship certificate dated 20.07.2017 which has been marked as Ex.P2, S.Ramanathan died on 24.04.2017, leaving behind the petitioner being his wife and the respondents being his daughters as his only legal heirs. The details of the shares/ securities held by the deceased, S.Ramanathan has also been furnished, as seen from Ex.P3. As observed earlier, the consent affidavits given by first and second respondents have been marked as Ex.P5 and Ex.P6. A paper publication



has also been effected by the petitioner with regard to the grant of Succession Certificate in her favour which has been marked as Ex.P7.

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 giving due consideration to the pleadings as well as the evidence available on record, this Court is inclined to grant Succession Certificate in favour of the petitioner as prayed for in O.P. No.662 of 2019. Accordingly, O.P. No.662 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./17.12.2021

COURT OFFICER(O.S.)

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