



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

FRIDAY, THE 08TH DAY OF OCTOBER 2021

THE HON'BLE MR. JUSTICE V.PARTHIBAN

O.P.No.394 of 2019

In the matter of Indian
Succession Act XXXIX of 1925
and
In the matter of certain
Securities belonging to
V.Subramani (deceased)
Intestate

PADMINI SUBRAMANI
Old No.16, New No.25/1,
Thyagaraya Road, T.Nagar,
Chennai-600017.

..Petitioner

-Vs-

1. NALINI MUKHERJEE
B-31, Appasamy Towers,
Thyagaraya Road, T.Nagar,
Chennai-600017.

2. NIRMALA PRASAD
B-28, Appasamy Towers,
Thyagaraya Road, T.Nagar,
Chennai-600017.

3. MYTHILI SUNDARESHWAR
B-26, Appasamy Towers,
Thyagaraya Road, T.Nagar,
Chennai-600017.



4. KRISHNA KUMAR
Old No.16, New No.25/1,
Thyagaraya Road, T.Nagar,
Chennai-600017.

..Respondents

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 the interest and dividends on 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 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 petitioner.

2. Mr.V.Subramani resided at No.16, Thyagaraya Road, T.Nagar, Chennai-600 017 and died on 31.01.2018. The petitioner and the respondents are the son and daughters of the deceased. The wife of the deceased predeceased him. Therefore, the petitioner and the respondents are the surviving class I legal heirs. The deceased left the schedule properties within the jurisdiction of this Court. As class-I legal heirs, the petitioner and the respondents are entitled to a share in the estate of the deceased as



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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 transferring the shares owned by the deceased to the petitioner. The said assets in respect of which the succession certificate is required, are of the value of Rs.9,41,900/-.

4. 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 his properties and credits, have been made to any District Court or delegate or to any High Court. Hence, the petitioner has approached this Court for grant of succession certificate with power to collect the debts and to receive the interest and dividends on and negotiate and transfer the securities specified in the schedule. The respondents also have no objection to grant of succession certificate to the petitioner and have filed their consent affidavits.

5. The petitioner examined herself as P.W.1 and marked Exs.P1 to P12. Ex.P1 is the computer generated death certificate of Vallisubramani, who died on 05.07.2009. Ex.P2 is the photocopy of the Legal Heirship



certificate dated 21.06.2011 in respect of vallisubramani. Ex.P3 is the computer generated death certificate of V.Subramani, who died on 31.01.2018. Ex.P4 is the computer generated Legal Heirship Certificate dated 20.06.2018, in respect of V.Subramani. Ex.P5 is the photocopy of the letter dated 01.08.2014 sent by Karvy Computershare Private Limited regarding the share held by Mr.V.Subramani along with the photocopy of the share certificate of Axis Bank Limited bearing registered Folio No.UTI058821 207174 and certificate No.507174 standing in the name of V.Subramani and Valli Subramani. Ex.P6 is the photocopy of the Counterfoil for receiving interim dividend from Clariant Chemicals India Limited in respect of the share held by Subramani. Ex.P7 is the photocopy of the letter dated 30.05.2018 addressed to the petitioner by Link Intime. Ex.P8 is the consent affidavit given by the first respondent. Ex.P9 is the consent affidavit given by the second respondent. Ex.P10 is the consent affidavit given by the third respondent. Ex.P11 is the consent affidavit given by the fourth respondent. Ex.P12 is a copy of paper publication effected in one issue of Tamil daily “Maalai Sudar” dated 22.08.2019.

6. Considering the averments made in the petition and the documents filed by the petitioner, this Court is of the view that the petitioner has succeeded to the Estate of the deceased V.Subramani. Therefore, the



petition is ordered as prayed for and a direction for grant of Succession Certificate to the petitioner 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 petitioner is directed to render accounts once in a year.

Sd/.V.P.N.J.
08.10.2021

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

SU/02.11.2021

COURT OFFICER(O.S.)

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