



O.P. No.602 of 2019

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ABDUL QUDDHOSE, J.

This petition has been filed for Succession Certificate.

2. The petitioner is the son of the deceased G.R.Chandrasekariah @ G.R.Chandrasekariya, who died on 25.06.1993, leaving behind certain securities, which are morefully described in the schedule to the petition. At the time of filing of O.P.No.602 of 2019, the wife of the deceased G.R.Chandrasekariah @ G.R.Chandrasekariya, viz., Parvathi, was alive and was made as first respondent. But, thereafter, during the pendency of this O.P, she died and the petitioner and the second respondent, are her legal heirs. Since they were already on record, a Memo was filed, which was recorded by this Court, by order dated 10.03.2020 and the first respondent, Parvathi, the wife of the deceased, G.R.Chandrasekariah @ G.R.Chandrasekariya, was removed from the array of the respondents. The second respondent is the daughter of the deceased G.R.Chandrasekariah @ G.R.Chandrasekariya and the petitioner and the second respondent herein, are his only legal heirs. Since the companies, in which, the securities were held by the deceased G.R.Chandrasekariah @ G.R.Chandrasekariya, insisted for production of the



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Succession Certificate, the petitioner has approached this Court, seeking for grant of Succession Certificate.

3. Before the learned Master, the petitioner, C.Shankar was examined as a witness (P.W.1). In his deposition, he has reiterated the contents of the petition filed in support of O.P. No.602 of 2019. Through P.W.1, the following documents were marked as Exhibits.

<i>Exhibits</i>	<i>Nature of the document</i>
Ex.P1	Photocopies of the share certificates issued by Reliance Industries Limited standing in the name of G.R.Chandrasekariah @ G.R.Chandrasekariya
Ex.P2	Photocopy of the share certificate bearing certificate No.3127655 issued by Grasim Industries Limited standing in the name of G.R.Chandrasekariah @ G.R.Chandrasekariya
Ex.P3	Computer generated death certificate of G.R.Chandrasekariah @ G.R.Chandrasekariya, who died on 25.06.1993
Ex.P4	Original Legal Heirship certificate dated 30.07.1993 in respect of G.R.Chandrasekariah @ G.R.Chandrasekariya
Ex.P5	Downloaded print out dated 28.04.2019 showing the value of the shares held by G.R.Chandrasekariah @ G.R.Chandrasekariya in Reliance Industries Limited and Grasim Industries Limited.
Ex.P6	Computer generated death certificate of 1st respondent, C.Parvathi, who died on 05.11.2019.



<i>Exhibits</i>	<i>Nature of the document</i>
Ex.P7	Consent affidavit given by the 2nd respondent stating that she has no objection in grant of Succession Certificate.
Ex.P8	Copy of paper publication effected in one issue of Tamil daily "Makkal Kural" dated 11.02.2021.

4. As seen from the evidence available on record, it is clear that G.R.Chandrasekariah @ G.R.Chandrasekariya died on 25.06.1993, as seen from his death certificate, which has been marked as Ex.P3. The details of the securities disclosed in the schedule to the petition are confirmed through the photocopies of the share certificates, which have been marked as Ex.Nos.1,2 and 5. The legal heirship certificate of the deceased G.R.Chandrasekariah @ G.R.Chandrasekariya has also been marked as Ex.P4, which will reveal that the petitioner, who is his son, Parvathi, being his wife and Lalitha Subramanian, being his daughter, are his only legal heirs. During the pendency of O.P. No.602 of 2019, the wife of the deceased viz., parvathi also died on 05.11.2019 and a Memo to that effect was filed by the learned counsel for the petitioner, which was recorded by this Court in its order dated 10.03.2020 and thereafter, Parvathi, the wife of the deceased, was removed from the array of the respondents.

5. As observed earlier, the only other legal heir of the deceased



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G.R.Chandrasekariah @ G.R.Chandrasekariya, apart from the petitioner viz., the respondent, Lalitha Subramanian has given “No Objection” for grant of Succession Certificate in favour of her brother, the petitioner herein, through her consent affidavit, which has been marked as Ex.P7. A paper publication has also been given by the learned counsel for the petitioner in one issue of Tamil daily viz., "Makkal Kural" dated 11.02.2021 with regard to O.P. No.602 of 2019, which has been marked as Ex.P8.

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 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 and 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.602 of 2019. Accordingly, O.P. No.602 of 2019 is allowed.



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