



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

FRIDAY, THE 19TH DAY OF NOVEMBER 2021

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

O.P. No.651 of 2020

In the matter of Indian Succession
Act XXXIX of 1925

and

In the matter of securities
of Uma Nataraja (Deceased)
(Intestate)

AMBIGAI SIDDHARTHA BUCH,
W/o.Late Siddhartha Buch,
A1/5, 23rd Cross Street,
Besant Nagar, Chennai-600 090

..Petitioner

This Original Petition praying that this Hon'ble Court be pleased to grant Succession Certificate to the petitioner with power to collect the securities in form of Rs.26,68,607/- lying to credit of the Demat Account of deceased Uma Nataraja, 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:



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This Original petition has been filed for succession certificate by the legal heir of the deceased Uma Nataraja, who died on 30.03.2019 at Chennai.

2. The petitioner is the sister of the deceased Uma Nataraja, who died on 30.03.2019 at Chennai. She was a spinster and the petitioner was her only sister. The parents of the deceased Uma Nataraja pre-deceased her. Uma Nataraja (deceased) has left behind certain securities. The details of the same have been mentioned in the schedule to the petition filed in support of O.P.No.651 of 2020. The petitioner has sought for succession certificate for the said securities on the ground that she is the only legal heir of Uma Nataraja (deceased). Before the learned Master, the petitioner was examined as a witness (P.W1). She has reiterated the contents of the petition filed in support of O.P.No.651 of 2020 in her oral evidence recorded before the learned Master.

3. Before the Learned Master, the following documents were marked through the petitioner (P.W1) as Exhibits.

<i>Exhibits</i>	<i>Nature of the documents</i>
P1	Death Certificate of Gangeswarie Nataraja, confirming that she died on 24.03.1998.
P2	Legal Heirship Certificate dated 02.06.1998 for Gangeswarie



<i>Exhibits</i>	<i>Nature of the documents</i>
	Nataraja confirming that the petitioner is her only legal heir.
P3	Death Certificate of K.Nataraja, confirming that he died on 02.02.2001.
P4	Death certificate of Uma Nataraja, confirming that she died on 30.03.2019.
P5	Photocopy of the Aadhaar Card of the deceased Uma Nataraja bearing No.6253 4187 8665.
P6	Photocopy of the Relationship certificate dated 14.08.2019 issued by the Tahsildar, Velacherry.
P7	Photocopy of the Aadhaar Card bearing No.8583 9509 7134 of the petitioner.
P8	Statement of account of demat account in the name of the deceased Uma Nataraja bearing client ID No.10033248.
P9	Copy of the Paper Publication effected in one issue of Tamil Daily viz., Makkal Kural, dated 19.02.2021.

4. As seen from the evidence available on record, it is clear that the petitioner is the only legal heir of the deceased Uma Nataraja, who has left behind securities mentioned in the schedule to the petition. Uma Nataraja, the deceased for whom succession certificate is sought for died on 30.03.2019 as evidenced from her death certificate marked as Ex.P-4. The Relationship Certificate dated 14.08.2019 issued by the Tahsildar, Velacherry, which has been marked as Ex.P-6 also confirms that the petitioner is the only legal heir of the deceased Uma Nataraja. The death certificates of parents of the deceased Uma Nataraja, who pre-deceased her, have been marked as Exs.P1 and P3. The legal heirship certificate of the mother of the deceased Gangeswarie Nataraja has also been marked as Ex.P2, which will reveal that Gangeswarie Nataraja's



husband, namely, K.Nataraja, petitioner and the deceased Uma Nataraja were the only legal heirs of Gangeswarie Nataraja then. Subsequent to the death of Gangeswarie Nataraja, her husband also died on 02.02.2001 and the death certificate, which has been marked as Ex.P.3 also confirms his date of death.

5. From the above, it is clear that the petitioner is alone entitled to obtain succession certificate for the securities left behind by the deceased Uma Nataraja.

6. All original documents which have been marked as exhibits are returned back to the learned counsel for the petitioner and substituted by xerox copies after comparison.

7. 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 his properties and credits. No application under 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.



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8. After perusing and examining the pleadings, evidence and materials available on record, this Court is inclined to grant the succession certificate in favour of the petitioner as prayed for in O.P No.651 of 2020. Accordingly, this Original Petition is allowed.

Sd/.A.Q.J.
19.11.2021

//Certified to be a true copy//

Dated this the day of 2021.

SU/24.11.2021 COURT OFFICER(O.S.)

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