

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

FRIDAY, THE 09TH DAY OF APRIL 2021

THE HON'BLE MR. JUSTICE T.RAVINDRAN

O.P.No.515 of 2020

In the matter of Indian Succession
Act XXXIX of 1925

and

In the matter of certain securities
belonging to Y-Ranganathan the
deceased intestate

SANDHYA SAILESH
W/o.A.N.Sailesh,
No.932 C, Poonamallee High Road,
Flowers Road,
Chennai-600 084.

..Petitioners

Original Petition praying that this Hon'ble Court be pleased to
grant of a Succession Certificate in favour of the petitioner herein viz.
Sandhya Sailesh with the power to collect the debts and to receive interest,
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:

The Original Petition has been laid under section 372 of the Indian
Succession Act, 1925 r/w Order XXV, Rule 6 of O.S.Rules, by the
petitioner seeking for the issuance of the succession certificate in her favour

with the power to collect the securities and to receive the interest, dividends thereon and negotiate and transfer the securities specified in the schedule to the petition.

2. According to the petitioner, she is the only legal heir of the deceased Y.Ranganathan ie., she is the daughter of the deceased and it is putforth that the deceased Y.Ranganathan died on 19.08.2019 and according to the petitioner, the succession certificate has been sought for with reference to the Folio account of the deceased which he has been holding at the NIPPON INDIA MUTUAL FUND, Adyar, Chennai and it is stated that the deceased died intestate without leaving any Will and the petitioner is the only legal heir of the deceased and thereby entitled to get the benefits and transfer of the abovesaid account in her name, which existed in the name of the deceased and it is stated that the total value of the assets for which the succession certificate is prayed for is Rs.5,11,755/- and it is further putforth that no application has been made in any other court for the grant of succession certificate in respect of the debt or security belonging to the deceased or with reference to the Probate of any Will left by the deceased or for Letters of Administration and accordingly sought for the issuance of the Succession Certificate as prayed for.

3. After completing all the formalities, the matter was referred to the Master for recording the evidence of the petitioner in support of her claim for the issuance of the succession certificate.

4. The petitioner has examined herself as P.W.1 and marked Exs.P1 to P5. Ex.P1 is the death certificate of the deceased Y.Ranganathan, who died on 19.08.2019. Ex.P2 is the legal heirship certificate in respect of the deceased which shows that it is only the petitioner who is his legal heir. Ex.P3 is the photocopy of the statement dated 12.09.2020 issued by Nippon India Mutual Fund statement in respect of Mutual Fund held by the deceased in folio No.405117891113 which had been marked after comparing with the original. Ex.P4 is the photocopy of the Aadhaar card of the petitioner and Ex.P5 is the paper publication.

5. Considering the evidence of P.W.1 and the documents marked as Exs.P1 to P5 in *toto*, it is evident that the petitioner being the sole legal heir of the deceased Y.Ranganathan, is entitled to obtain the succession certificate in respect of the mutual fund held by him as depicted in Ex.P3 ie., as detailed in the schedule of the petition vide folio No.405117891113.

Thus it is found that there is no impediment in the grant of succession certificate in favour of the securities described in the schedule to the

petition in favour of the petitioner.

6. For the reasons aforesaid, the succession certificate is directed to be granted in favour of the petitioner as prayed for in respect of the securities described in the schedule to the petition with the power to collect the securities and to receive the interest, dividends thereon and negotiate and transfer the securities and accordingly the Original Petition stands allowed.

Sd/.T.R.N.J.

09.04.2021

//Certified to be a true copy//

Dated this the _____ day of _____ 2021.

SU.17.04.2021

सत्यमेव जयते COURT OFFICER(O.S.)

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