

O.P.No.667 of 2019

V.PARTHIBAN.J.,

This Petition has been filed under Section 372 of the Indian Succession Act, 1925 read with Order XXV Rule 6 of the Madras High Court Original Side Rules, to grant succession certificate in favour of the petitioner.

2.It is the case of the petitioner that the petitioner and the respondents are the legal heirs of deceased G.Raman. The petitioner is the wife and the respondents 1 and 2 are daughters of the deceased. The said G.Raman died on 29.08.1999 at No.42/18, Shree Flats, Motilal Street, T.Nagar, Chennai – 600 017. Other than the petitioner and the respondents, there are no other relatives to succeed the estate as class I legal heirs. Prior to and at the time of his death, the deceased ordinarily resided at No.42/18, Shree Flats, Motilal Street, T.Nagar, Chennai – 600 017. He left the schedule mentioned properties and died within the jurisdiction of this Court. The deceased was having shares in ITC Limited and Colgate – Palmolive (India) Limited. On account of the death, the petitioner and the respondents being his

successors, are jointly entitled for the amount lying in f ITC Limited and Colgate – Palmolive (India) Limited. 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 claiming the amount lying in the above said shares of ITC Limited and Colgate – Palmolive (India) Limited as mentioned in the schedule and for transfer of shares. The assets in respect of which the succession certificate is required is of the value of Rs.39,70,989/- (Rs.29,66,589/- of ITC Limited plus Rs.10,04,400/- of Colgate – Palmolive (India) Limited). No application for a succession certificate in respect of any debt or security belonging to the estate of the said deceased has been made to any District Court or delegate or to any High Court. Hence, the petitioner and the respondents have approached this Court for grant of succession certificate in their names with power to collect the debts and to receive the interest and dividends on and negotiate and transfer the securities specified in the schedule.

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3.The petitioner examined herself as P.W.1 and marked Exs.P1 to P8.

Ex.P1 is the photocopy of the death certificate of my husband G.Raman,

who died on 29.08.1999. Ex.P2 is the photocopy of the Legal Heirship Certificate dated 03.11.1999 in respect of my husband G.Raman. Ex.P3 is the photocopy of the death certificate of my mother-in-law G.Muthu Lakshmi, who died on 27.01.2003. Ex.P4 are the photocopies of the share certificates in Colgate-Palmolive (India) Limited standing in the name of my deceased husband G.Raman along with letter dated 14.01.2017 from Link Intime India Private Limited addressed to me. Ex.P5 are the photocopies of the share certificates in I.T.C. Limited standing in the name of my deceased husband G.Raman along with e-mail dated 22.10.2018 addressed to me. Ex.P6 is a copy of paper publication effected in one issue of Tamil daily “Makkal Kural” dated 22.04.2021. Ex.P7 is the consent affidavit given by the 1st respondent stating that she has no objection in grant of Succession Certificate. Ex.P8 is the consent affidavit given by the 2nd respondent stating that she has no objection in grant of Succession Certificate.

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4.Considering the averments made in the petition and the documents filed by the petitioner, this Court is satisfied that the petitioner and the

respondents have succeeded the Estate of the deceased G.Raman. 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 account once in a year.

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