



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.516 of 2020

In the matter of the Indian
Succession Act
(Act XXXIX of 1925)
and

In the matter of the debts of
Mr.Asif Ali - Intestate
Deceased

1. FAZAL ALI
S/o.Late Asif Ali,
No.1515, Pine Block Alliance Orchids Springs,
Water Canal Road,
Korattur, Chennai-600 076

2. FATHIMA SAYEED
D/o.Late Asif Ali,
W/o.Syed Sayeed Ahamed,
No.912, Pine Block Alliance Orchids Springs,
Water Canal Road,
Korattur, Chennai-600 076

..Petitioners

Original Petition praying that this Hon'ble Court be pleased that a
Succession Certificate may be granted in the name of the 1st petitioner with
a power to collect securities and to receive interest, dividends thereon 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 first petitioner.

2. Mr.Asif Ali resided at D.No.32/69, Thayar Sahib Street, Mount Road, Chennai-600 002 and died on 19.06.2020. The petitioners are the son and daughter of the deceased. The wife of the deceased predeceased him on 13.06.2020. The petitioners 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 petitioners are entitled to a share in the estate of the deceased as specified in the schedule hereto.

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 enabling the petitioners to claim, change the records and to receive the amounts stands in the name of the deceased. The said assets in respect of which the succession certificate is required, are of the value of Rs.2,27,700/-.



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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 petitioners have approached this Court for grant of succession certificate to the first 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.

5. The first petitioner examined himself as P.W.1 and marked Exs.P1 to P6. Ex.P1 is the computer generated death certificate of Mrs.Bilquees Begum, who died on 13.06.2020. Ex.P2 is the computer generated death certificate of Asif Ali, who died on 19.06.2020. Ex.P3 is the computer generated Legal Heirship certificate dated 26.08.2020 in respect of Asif Ali. Ex.P4 is the photocopy of the share certificate of Apollo Hospitals Enterprise Limited bearing registered folio No.746 and certificate No.350746 standing in the name of Mr.Asif Ali. Ex.P5 is the original letter dated 13.10.2020 sent by Integrated Registry Management Services Private



publication effected in one issue of Tamil daily "Makkal Kural" dated 26.01.2021.

6.Considering the averments made in the petition and the documents filed by the petitioners, this Court is of the view that the petitioners have succeeded to the Estate of the deceased Asif Ali. Therefore, the petition is ordered as prayed for and a direction for grant of Succession Certificate to the first 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 first 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.