

**O.P.No.613 of 2020****V.PARTHIBAN.,J.**

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 petitioners.

2.It is the case of the petitioners that they are the legal heirs of deceased K.Dhanapal. The first petitioner is the son of deceased, second petitioner is wife and third petitioner is the daughter-in-law of deceased and 4th,5th and 6th petitioners are the minor children of the 3rd petitioner herein. The said K.Dhanapal died on 16.12.2018 in Chennai. Other than the petitioners, there are no other relatives to succeed the estate as Class-I heir. Prior to and at the time of his death, the deceased had his fixed place of residence at door No. 622, Trichy, chinnasamy road, Vyasarpadi, Periyar nagar, Chennai-600039. He left the schedule mentioned properties and died within the jurisdiction of this Court. The deceased was having a number of shares in several companies. On account of the death, the petitioners being his successors, are jointly entitled to a share in the securities/shares which the deceased was holding in several companies. 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 transmission of shares standing in the name of the deceased to that of all the petitioners. The asset in respect of which the succession certificate is required is of the value of Rs.32,75,770/-. 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 petitioners 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.

3.The first petitioner examined himself as P.W.1 and marked Exs.P1 to P11.

Ex.P1 is the computer generated death certificate of K.Dhanapal, who died on 16.12.2018.

Ex.P2 is the computer generated death certificate of D.Dinesh, who died on 10.02.2019.

Ex.P3 is the computer generated Legal Heirship certificate dated 30.03.2019.

Ex.P4 is the computer generated Legal Heirship certificate dated 11.02.2020 in respect of D.Dinesh.

Ex.P5 is the e-mail sent by him to Tube Investments of India

Limited.



Ex.P6 is the e-mail sent to him by CFHL.

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Ex.P7 is the e-mail sent to him by Karvy Consultant.

Ex.P8 are the photocopies of the share certificate of Tube Investments of India Limited standing in the name of Mr.K.Dhanapal.

Ex.P9 is the consent affidavit given by the 2nd petitioner.

Ex.P10 is the consent affidavit given by the 3rd petitioner.

Ex.P11 is a copy of paper publication effected in one issue of Tamil daily "Makkal Kural" dated 19.03.2021.

4.Considering the averments made in the petition and the documents filed by the petitioners, this Court satisfied that the petitioners have succeeded the Estate of the deceased K.Dhanapal. Therefore, the petition is ordered as prayed for and a direction for grant of Succession Certificate to the 1st 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 petitioners are directed to render account once in a year.

20.09.2021

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