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

MONDAY, THE 06TH DAY OF DECEMBER 2021

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

O.P.No. 1076 of 2019

In the matter of the Indian
Succession Act, 1925
(Act XXXIX of 1925)
and
In the matter of debts of
Mr.MuraliSrinivasan(deceased)
Intestate

KAMALA SRINIVASAN * **(DECEASED)**
W/O.LATE R.SRINIVASAN,
RESIDING AT
9, AKSHYA APARTMENTS,
36/66, 2ND MAIN ROAD,
R.A.PURAM,
CHENNAI-600 028

*** USHA SRIVATSAN**
W/o.Rajan Srivatsan,
aged about 53 years, 20361,
Medalist Drive,
Ashburn, Virginia,
VA 20147

*** (LR of deceased sole petitioner**
brought on record and amended
as per order dt 05/07/2021 in
A.No.1956/2021 in OP.No.1076/2019)

..Petitioner



MRS. PADMA NARASIMHAN

6202, Bancroft Way,
San Jose, CA 5129 USA.

..Respondent

Original Petition praying that this Hon'ble Court be pleased that a Succession Certificate may be granted to the petitioner with power to collect the debts and to receive interest and dividends on 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, 1925 read with Order XXV Rule 6 of the Madras High Court Original Side Rules, to grant succession certificate in respect of the securities mentioned in the schedule A and B to the petition which were left behind by the deceased Murali Srinivasan.

2. Heard the learned counsel for the petitioner.

3. The second petitioner is the sister of the deceased Murali

Srinivasan, who died intestate, leaving behind the securities mentioned



Schedule A and B to the petition. Originally the petition was filed by Kamala Srinivasan, who is the mother of both Mrs.Usha Srivatsan and the deceased Murali Srinivasan. The deceased Murali Srinivasan died on 30.08.1993 at Quriyat, Oman, leaving behind the securities mentioned in the Schedule A and B. Kamala Srinivasan filed O.P.No.1076 of 2019 seeking for succession certificate of the securities mentioned in the Schedule A and B which were standing in the name of the deceased Murali Srinivasan. During the pendency of the said petition, Kamala Srinivasan, the mother of the deceased Murali Srinivasan, died on 19.01.2021 and her daughter Mrs.Usha Srivatsan, the second petitioner was brought on record pursuant to the order passed by this Court on 05.07.2021 in A.No.1956 of 2021.

4. After the death of Murali Srinivasan, the respondent, who was his wife, got remarried on 30.10.1996,

5. Before the Learned Master, the Mrs.Usha Srivatsan, the daughter of the deceased was examined as P.W.1. She has reiterated the contents of the petition filed in support of O.P.No.1076 of 2019. In her deposition, the following documents are marked as exhibits on the side of the P.W.1:

<i>Exhibits</i>	<i>Nature of the document</i>
Ex.P-1	Photocopy of the death certificate of Murali Srinivasan, who died on 30.08.1993.
Ex.P-2	Computer generated Legal Heirship certificate dated 13.05.2019 in respect of the deceased Murali Srinivasan.
Ex.P-3	Photocopy of the true extract of Hindu marriage register in respect of a marriage registered as Serial Number of marriage 528 of 1996 before the Registrar of Marriage, Thyagaraya Nagar.
Ex.P-4	E-mail correspondence dated 27.11.2018 and 07.12.2018.
Ex.P-5	Consent affidavit given by the respondent.
Ex.P-6	Copy of paper publication effected in one issue of Tamil daily "Makkal Kural" dated 03.11.2020.

6. The respondent, who was the wife of the deceased Murali Srinivasan, has also filed a consent affidavit which has been marked as Ex.P5 before the Learned Master stating her no objection for grant of succession certificate in favour of the second petitioner.

7. As seen from the evidence available on record, originally the mother of the second petitioner and the second petitioner were the legal heirs of the deceased Murali Srinivasan, who died on 30.08.1993. It is also seen that during the pendecny of O.P.No.1076 of 2019, Kamala Srinivasan died on 19.01.2021, As per the order passed by this Court dated 05.07.2021,

in A.No.1956 of 2021, Mrs.Usha Srivatsan, daughter of Mrs.Kamala Srinivasan was brought on record as the petitioner in the petition.



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8. The respondent has also given her consent affidavit before the learned Master which has been marked as Ex.P.5 for the grant of succession certificate in favour of the second petitioner. As seen from the evidence available on record, the respondent has also got remarried after the death of her husband viz., Murali Srinivasan. The details of the securities mentioned in the Schedule A and B to the petition are also disclosed in the E-mail correspondences dated 27.11.2018 and 07.12.2018 which has been marked as Ex.P4. From the above said E-mail correspondences, it is clear that the companies, in whose name, the shares of the details stands in the name of the deceased Murali Srinivasan, had requested the second petitioner to obtain the succession certificate from the competent Court.

9. After giving due consideration to the evidence available on record and after perusing the contents of the petition, this Court is satisfied that the second petitioner has succeeded the Estate of the deceased Murali Srinivasan. Therefore, the petition is ordered as prayed for and a direction for grant of Succession Certificate to the second petitioner/Mrs.Usha Srivatsan with power to collect the debts with accrued interest and securities, receive the dividends thereon and negotiate and transfer the

securities specified in the Schedule A and B, is issued. The petitioner is



directed to render account once in a year.

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Sd/.A.Q.J.
06.12.2021

//Certified to be a true copy//

Dated at Madras this the day of 2021.

SU./09.12.2021

COURT OFFICER(O.S.)

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