



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

FRIDAY, THE 17TH DAY OF JUNE 2022

THE HON'BLE MR. JUSTICE KRISHNAN RAMASAMY

O.P.No.819 of 2021

In the matter of the Indian Succession
Act, XXXIX of 1925
and
In the matter of securities of
Annie Marie Peres and Joceln Peres -
deceased

1. GLADWIN ANTHONY PERES

S/o.Late Annie Marie Peres,
No.105, Pallavi Avenue,
Sanjay Nagar, Malkahgiri,
Hyderabad - 500 047. Telangana.

2. MERLYN PERES

D/o.Late Annie Marie Peres,
No.110/3, Vanavil Apartments East Main Road,
Anna Nagar West Extension,
Chennai - 600 101.

3. GWENDOLINE MARIE PERES

D/o.Late Annie Marie Peres,
No.110/3, Vanavil Apartments East Main Road,
Anna Nagar West Extension,
Chennai - 600 101.

..Petitioners

This original petition praying that this Hon'ble court be pleased to
grant a Succession Certificate to the first petitioner with power to collect the
securities and to receive interest, dividends thereon and negotiate and



transfer the securities specified in the schedule in the petition.

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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 Original Side Rules, to grant succession certificate to the first petitioner.

2. It is the case of the petitioners that they are the legal heirs of the deceased Annie Marie Peres (mother of the petitioners), who died intestate on 18.12.2018. According to the petitioners, the deceased Annie Marie Peres (mother of the petitioners) and Jocelyn Peres (brother of the petitioners) owned various securities as stated below:-

SCHEDULE VIII OF THE INDIAN SUCCESSION ACT, 1925

<i>Securities</i>				
<i>Serial No.</i>	<i>Description</i>			<i>Market-value of security as on the date of application for succession certificate</i>
	<i>Distinguishing number or letter of security</i>	<i>Name, title or class of security</i>	<i>Amount on par value of security</i>	
1	Certificate No.24349	Tube Investment of India	Rs.1/-	Rs.12,25,595/-
2	Certificate No.1095	Oriental Hotels Limited	Rs.1/-	Rs.10,800/-
3	Certificate Nos.403692,	Sundaram Fasteners	Rs.1/-	Rs.9,60,000/-



	413576	Limited		
4	Folio No.3715364	Hindustan Unilever Ltd	Rs.1/-	Rs.9,72,225/-
5	Certificate No.18617	Kothari Petro Chemicals Limited	Rs.10/-	Rs.2,300/-
6	Certificate Nos.00051533, 00080230, 2559, 00036741, 00036742, 00050942, 2473	Kothari Sugars and Chemicals Limited	Rs.10/-	Rs.5,764/-
7	Certificate No.2618967	Mangalore Refinery & Petrochemicals Limited	Rs.10/-	Rs.6,800/-
8	Certificate Nos.027201, 34213, 34214, 37123, 40212, 42198	India Motor Parts & Accessories	Rs.10/-	Rs.3,68,244/-
9	Certificate No.459	Amrutanjan Health Care Ltd	Rs.1/-	Rs.12,01,200/-

Total : Rs.47,52,928/-

3. Therefore, they have filed the present petition for grant of succession certificate in favour of Mr.Gladwin Anthony Peres, the first petitioner herein, with the power to collect the securities and to receive the interest and dividends and negotiate and transfer the securities standing in the name of the deceased Annie Marie Peres and Jocelyn Peres, as specified in the schedule.



4. It is stated that the first petitioner is residing in Hyderabad, whereas, the second and third petitioners are residing in Chennai. It is further stated that the second and third petitioners have given their consent for the first petitioner to claim the share of the deceased. Further, 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 favour of the first petitioner with a power to collect the securities and to receive the interest and dividends and negotiate and transfer the securities standing in the name of the deceased Annie Marie Peres and Jocelyn Peres, as specified in the schedule.

5. In order to prove their case, the first petitioner examined himself as P.W.1 and marked the following documents;

(1) Ex.P1 – Computer generated death certificate of Annie Marie Peres.

(2) Ex.P2 – Computer generated death certificate of Jocelyn Peres.

(3) Ex.P3 – Photocopy of the Legal Heirship Certificate of Annie Marie Peres.

(4) Ex.P4 – Photocopy of the affidavit dated 13.02.2019 stating that



both Annie Marie Peres and Annie Peres are names of the same person.

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(5) Ex.P5 – Photocopy of the affidavit dated 28.04.2018 stating that both Gwendoline Marie Peres and Gwendoline Peres are names of the same person.

(6) Ex.P6 – Photocopy of the share certificate bearing certificate No.918309 issued by Tube Investment of India Limited standing in the names of Jocelyn Peres and Miss Gwendoline Peres.

(7) Ex.P7 – Photocopy of the share certificate bearing certificate No.1095 issued by Oriental Hotels Limited standing in the names of Jocelyn Peres and Mrs.Annie Peres.

(8) Ex.P8 – Photocopy of the letter dated 18.08.2020 sent to me by Integrated Registry Management Services Private Limited.

(9) Ex.P9 (series 2 Nos.) – Photocopies of the share certificates issued by TVS Sundram Fasteners Limited standing in the names of Jocelyn Peres and Annie Peres.

(10) Ex.P10 (series 5 Nos. – Photocopies of the share certificates issued by Hindustan Lever Limited standing in the name of Gladwin Anthony Peres.

(11) Ex.P11– Photocopy of the letter dated 27.02.2020/26.08.2020 sent to me by Kfin Technologies Private Limited.

(12) Ex.P12 – Photocopy of the share certificate bearing certificate



No.18617 issued by Kothari Petrochemicals Limited standing in the name of Jocelyn Peres.

(13) Ex.P13 (series 7 Nos.) – Photocopies of the share certificates issued by Kothari Sugars & Chemicals Limited.

(14) Ext.P14 – Photocopy of the share certificate bearing certificate No.2618967 issued by Mangalore Refinery and Petrochemicals Limited standing in the name of Jocelyn Peres.

(15) Ext.P15 (series 6 Nos.) – Photocopies of the share certificates issued by Impal India Motor Parts & Accessories Limited standing in the names of Jocelyn Peres and Annie Peres.

(16) Ex.P16 – Photocopy of the share certificate bearing registered folio No.J0000034 issued by Amrutanjan Health Care Limited standing in the name of Jocelyn Peres.

(17) Ex.P17 – Photocopy of my Aadhaar card.

(18) Ex.P18 – Photocopy of the Aadhar card of 2nd petitioner.

(19) Ex.P19 – Photocopy of the Aadhar card of 3rd petitioner.

(20) Ex.P20 – Consent affidavit given by 2nd petitioner.

(21) Ex.P21 – Consent affidavit given by 3rd petitioner.

(22) Ex.P22 – Copy of paper publication effected in one issue of Tamil daily “Makkal Kural” dated 30.03.2022.



6. Considering the averments made in the petition and the evidence tendered by PW.1 along with the documents marked as Exs.P1 to P22, this Court is satisfied that the first petitioner has succeeded the Estate of both the deceased. Therefore, the petition is ordered as prayed for and a direction for grant of Succession Certificate to the first petitioner with the power to collect the securities and to receive the interest and dividends and negotiate and transfer the securities standing in the name of the deceased Annie Marie Peres and Jocelyn Peres, as specified in the schedule, is issued.

7. Accordingly, the petitioners are entitled for the relief as prayed for and this Original Petition stands allowed.

Sd/.K.R.J.
17.06.2022

//Certified to be a true copy//

Dated at Madras this the day of 2022.

su.23/06/2022

COURT OFFICER(O.S.)

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