



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

MONDAY, THE 14TH DAY OF FEBRUARY 2022

THE HON'BLE MR. JUSTICE P.VELMURUGAN

O.P.No.675 of 2021

In the matter of Indian
Succession Act XXXIX OF
1925

and

In the matter of Certain
Securities belonging to
Kannan Kesavan (Died)
Intestate

1. SMT. RAJAM K
W/o.Late Kesavan

2. SMT. BALA PARAMESWARI.R
W/o.Late Kannan Kesavan

3. MINOR K.SAHANA
D/o.Late Kannan Kesavan

4. MINOR K.SMRITHI
D/o.Late Kannan Kesavan,

Minors 3 and 4 represented by Mother
and Natural Guardian
Mrs.Bala Parameswari the 2nd petitioner

all residing at Flat No.GA,
Siva's Jayam Apartments,
No.26/12, Raghavan Colony III Street,



Ashok Nagar,
Chennai - 600 083.

..Petitioners

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Original Petition praying that this Hon'ble Court be pleased that a Succession Certificate may be granted to the petitioners with power to collect the debts and securities and to receive the interests 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 Original petition has been filed the petitioners who are the only legal heirs of the deceased Kannan who died interstate on 31.08.2020 for grant of succession certificate.

2. The 1st petitioner is the mother, the 2nd petitioner is wife and the 3rd and 4th petitioners are the minor children of the deceased Kannan. As the deceased Kannan died interstate, the petitioners who are the only legal heirs of the deceased Kannan have filed this petition for grant of succession certificate to the petitioners. The details of the securities for which the

Succession Certificate is sought for, are furnished in the schedule to the



petition and its value is Rs.16,02,949.50/-, according to the petitioners.

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3. The 2nd petitioner who is the wife of the deceased Kannan has deposed as PW1 before the learned Master in support of this petition for grant of succession certificate. Before the learned Master, the following documents were marked as Exhibits.

Exhibits	Nature of the documents
P1	Computer generated Death certificate of K.Kannan
P2	Computer generated Legal Heirship Certificate of K.Kannan
P3	Computer generated death certificate of P.Kesavan
P4	Computer generated consolidated statement issued by NSDL in respect of Mutual Funds in SBI held by K.Kannan as mentioned in Column 2 and 3 in page No.4 of total consolidated statement.
P5	Computer generated Statement of Holding as on 05.02.2021 in Client ID No.10891456 issued by Standard Chartered Bank, Mumbai in respect of shares and securities standing in the name of Kannan Kesavan.
P6	Online Bank Account statement for the period 01.08.2020 to 11.08.2021 issued by Standard Chartered Bank, T.Nagar Branch standing in the name of K.Kannan bearing account No.43610490758.
P7	Copy of paper publication effected in one issue of Tamil Daily "Makkal Kural" dated 18.12.2021.

4. An averment has also been made in the petition that no application

<https://hcservices.ecourts.gov.in/hcservices/>

has been made to the District Court or delegate or to any High Court for



Probate of any Will of the deceased or Letters of Administration with or without the Will annexed to his properties and credits. No application for Succession Certificate in respect of any debts or security belonging to the estate of the deceased has been made to any District Court or delegate or to any High Court.

5. This Court has perused and examined the aforementioned documents. The 2nd petitioner was examined as P.W.1 and 7 documents were marked as exhibits. As seen from the copy of death certificate marked as Ex.P1, Kannan died on 31.08.2020 and as seen from the copy of Legal Heirship certificate, dated 12.11.2020 marked as Ex.P2, the petitioners are the only Legal Heirs of Kannan, Ex.P3 is the copy of death certificate of the Kesavan who is the father of the Kannan. The copy of consolidated statement of the equity shares held by the deceased was marked as Ex.P.4. The Statement of Holding in respect of shares and securities standing in the name of the deceased Kannan was marked as Ex.P5 The online copy of the bank account statement of the deceased was marked as Ex.P6. The Paper publication has also been effected by the petitioners in one issue of Tamil daily “Makkal Kural” dated 18.12.2021 which has been marked as Ex.P7.



6. Since the petitioners are the only legal heirs of the deceased Kannan and as per the documents Ex.P.4 to Ex.P.6, there are certain dues to the deceased Kannan.

7. After giving due consideration to the averments contained in the petition as well as the Exhibits marked on the side of the petitioners, this Court is of the considered view that the relief of succession certificate sought for by the petitioners in OP No.675 of 2021 has to be granted. Accordingly, the Original Petition is allowed.

8. Registry is directed to issue succession certificate after recovering the succession duty if already not paid.

Sd/.P.V.J.
14.02.2022

//Certified to be a true copy//

Dated at Madras this the day of 2022

SU./28.02.2022

COURT OFFICER(O.S.)

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