



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

FRIDAY, THE 24TH DAY OF JUNE 2022

THE HON'BLE MR. JUSTICE KRISHNAN RAMASAMY

O.P.No. 629 of 2021

In the matter of Indian Succession
Act, XXXIX of 1925
and
In the matter of the securities of
P.N.Arumugam , died intestate

1. P.A.MANGALAM
W/o.Late P.N.Arumugam,
No.9, GST Road,
St.Thomas Mount, Chennai - 16.

2. N.A.SEETHALAKSHMI
D/o.P.N.Arumugam,
No.9, GST Road,
St.Thomas Mount, Chennai - 16.

3. S.VALLIRAJAN
D/o.P.N.Arumugam,
No.9, GST Road,
St.Thomas Mount, Chennai - 16.

4. N.KAMALA
D/o.P.N.Arumugam,
No.9, GST Road,
St.Thomas Mount, Chennai - 16.

5. P.RADHA
D/o.P.N.Arumugam,
No.9, GST Road,
St.Thomas Mount, Chennai - 16.



6. N.JAYALAKSHMI

D/o.P.N.Arumugam,

No.9, GST Road,

St.Thomas Mount, Chennai - 16.

..Petitioners

This original petition praying that this Hon'ble court be pleased that a Succession Certificate may be granted to the petitioners with the power to, collect the securities and to receive the 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 Sections 300 & 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 the first petitioner's husband and the father of the petitioners 2 to 6 namely P.N.Arumugam had passed away on 27.09.1997. During the life time of the deceased P.N.Arumugam, he has purchased schedule mentioned shares. The petitioners are the Class – I legal heir of the deceased P.N.Arumugam, who died intestate on 27.09.1997. The petitioners are filing this petition for grant of Succession



Certificate in favour of them. The total amount of the assets value will be for a sum of Rs.23,20,623/-.

3. It is further stated that the other than the petitioners, there are no other relatives to succeed the estate as legal heirs. Therefore, the petitioners are entitled for share in the estate of the said deceased P.N.Arumugam.

4. 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 them with power to collect securities and to receive interest, dividends thereon and negotiate and transfer the securities specified in the petition schedules.

5. In order to prove their case, Ms.N.A.Seethalakshmi, the second petitioner herein, is examined as PW.1 and marked Exs.P1 to P21. Ex.P1 is the photocopy of the share certificate bearing certificate no.NP/II/489 issued by the Calcutta Chemical Co., Ltd., standing in the name of P.N.Arumugam. Ex.P2 is the photocopy of the share certificate bearing certificate no.NP/II/490 issued by The Calcutta Chemical Co., Ltd., standing in the name of P.N.Arumugam. Ex.P3 is the photocopy of the share certificate



bearing certificate no.0112328 issued by Cadbury's Hindustan Cocoa Products Limited standing in the name of P.N.Arumugam. Exs.P4 is the photocopy of the share certificate bearing certificate no.0112329 issued by Cadbury's Hindustan Cocoa Products Limited standing in the name of P.N.Arumugam. Ex.P5 is the photocopy of the share certificate bearing certificate no.0112330 issued by Cadbury's Hindustan Cocoa Products Limited standing in the name of P.N.Arumugam. Ex.P6 is the photocopy of the share certificate bearing certificate no.0112331 issued by Cadbury's Hindustan Cocoa Products Limited standing in the name of P.N.Arumugam. Ex.P7 is the photocopy of the share certificate bearing certificate no.42855 issued by Cadbury's India Limited standing in the name of P.N.Arumugam. Ex.P8 is the photocopy of the share certificate bearing certificate no.42856 issued by Cadbury's India Limited standing in the name of P.N.Arumugam. Ex.P9 is the photocopy of the share certificate bearing certificate no.0072059 issued by Cadbury's Hindustan Cocoa Products Limited standing in the name of P.N.Arumugam. Ex.P10 is the photocopy of the share certificate bearing certificate no.44600 issued by Cadbury's India Limited standing in the name of P.N.Arumugam. Ex.P11 is the photocopy of the share certificate bearing certificate no.0247994 issued by Cadbury's India Limited standing in the name of P.N.Arumugam. Ex.P12



issued by Cadbury's India Limited standing in the name of P.N.Arumugam.

Ex.P13 is the photocopy of the share certificate bearing certificate no.00247996 issued by Cadbury's India Limited standing in the name of P.N.Arumugam. Ex.P14 is the photocopy of the share certificate bearing certificate no.00247997 issued by Cadbury's India Limited standing in the name of P.N.Arumugam. Ex.P15 is the photocopy of the share certificate bearing certificate no.00247998 issued by Cadbury's India Limited standing in the name of P.N.Arumugam. Ex.P16 is the photocopy of the equity shares bearing folio no.480134 issued by Indian Explosives Limited standing in the name of P.N.Arumugam. Ex.P17 is the photocopy of the shares bearing folio no.PN 025 issued by ICI India Limited standing in the name of P.N.Arumugam. Ex.P18 is the original Death Certificate of P.N.Arumugam. Ex.P.19 is the photocopy of Legal Heirship Certificate of P.N.Arumugam. Ex.P.20(series) are the e-mail communications of various companies asking for Succession Certificate for the shares held by P.N.Arumugam. Ex.P21 is a copy of paper publication effected in one issue of Tamil Daily"Makkal Kural" dated 09.12.2021.

6.On perusal of Ex.P19, the Legal Heirship Certificate of the deceased P.N.Arumugam, it would show that the petitioners are the Class I legal heirs of the deceased P.N.Arumugam. Despite the paper publication



also, none has appeared and raised their objections.

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7. Considering the averments made in the petition and the evidence tendered by PW.1 along with the documents marked as Exs.P1 to P21, this Court is satisfied that the petitioners have succeeded for the Estate of the deceased P.N.Arumugam. Therefore, the petition is ordered as prayed for and a direction for grant of Succession Certificate to the petitioners 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.

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

Sd/.K.R.J.
24.06.2022

//Certified to be a true copy//

Dated at Madras this the day of 2022.

su.05.07.2022

COURT OFFICER(O.S.)

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