



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.893 of 2019

In the matter of Indian
Succession Act, 1925
and

In the matter of certain Shares,
Securities and debts belong to
Mr.Abdeali @ Aejaazali as per
Gazette and @ Aejaaz Haidari as
surname, Son of Akbarali
Haidari – deceased Intestate

1. Mrs.RUKAIYA ABDEALI
W/o.Late Mr.Abdeali @ Aejaazali @ Aejaaz Haidari,

2. Mrs.SAKINA ABDEALI
D/o.Late Mr.Abdeali @ Aejaazali @ Aejaaz Haidari

3.Mrs.BATUL ABDEALI
D/o.Late Mr.Abdeali @ Aejaazali @ Aejaaz Haidari,

all residing at
No.94/34, Arthoon Road,
Royapuram, Chennai-600013.

..Petitioners

Original Petition praying that this Hon'ble Court be pleased that a



collect the debts and to receive the dividends, also to negotiate, transfer and sell the said securities as described in the schedule.

This Original Petition coming on this day before this court for hearing the court made the following order:

This Original petition has been filed by the petitioners who are the only legal heirs of the deceased Abdeali @ Aejaazali @ Aejaaz Haidari who died interstate on 01.05.2016 for grant of succession certificate.

2. The 1st petitioner is the wife, the 2nd and the 3rd petitioners are the daughters of the deceased Abdeali @ Aejaazali @ Aejaaz Haidari. As the deceased Abdeali @ Aejaazali @ Aejaaz Haidari died interstate, the petitioners who are the only legal heirs of the deceased Abdeali @ Aejaazali @ Aejaaz Haidari have filed this petition for grant of succession certificate. 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.69,89,713/-, according to the petitioners.

3. The 1st petitioner who is the wife of the deceased Abdeali @

Aejaazali @ Aejaaz Haidari 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 Abdeali @ Aejazali
P2	Photocopy of the Legal Heirship Certificate of Abdeali @ Aejazali
P3	Photocopy of the Aadhaar Card of A.Abdeali
P4	Photocopy of Tamil Nadu Government Gazette dated 04.02.2044 in respect of name change of Aejaz Ali as Abdeali mentioned in Page No.94
P5	Photocopy of first petitioner's Aadhaar Card.
P6	Photocopy of first petitioner's PAN Card
P7	Photocopy of the Aadhaar Card of Sakinia Abdealil
P8	Photocopy of the PAN card of A.Sakina
P9	Photocopy of the Aadhaar Card of Batul Abdeali
P10	Photocopy of the PAN card of A.Batul
P11	Photocopy of the HDFC Bank Statement issued by HDFC Bank, Parrys Corner Branch bearing account No.01662560005157 standing in the name of M/s. Asian Engineering and Services
P12	Photocopy of the share certificate bearing certificate No.001117749 issued by GlaxoSmithKline Pharmaceuticals Limited standing in the name of Aejaz Ali
P13	Photocopy of the share certificate bearing certificate No.1291769 issued by GlaxoSmithKline Pharmaceuticals Limited standing in the name of Aejaz Ali
P14	Photocopy of the share certificate bearing certificate No.00077986 issued by UltraTech CemCo Limited standing in the name of Aejaz Haidari
P15	Photocopy of the share certificate bearing certificate No.6003 issued by TVS Motor Company Limited standing in the name of A.Aejaz Ali
P16	Photocopy of the share certificate bearing certificate

Exhibits	Nature of the documents
	No.16892 issued by TVS Motor Company Limited standing in the name of A.Aejaz Ali
P17	(series 2 sheets) are the computer generated and e-mail copies issued by Reliance Industries Limited disclosing that 174 shares are held by Aejaz Haidari in Folio No.032791701.
P18	Copy of paper Publication effected in one issue of Tamil Daily “Maalai Sudar” dated 05.12.2019.

4. An averment has also been made in the petition that no application has been made to any District Court or delegate or to any High Court for granting of Succession Certificate in respect of any bank amount, shares and securities belonging to the estate of the deceased Abdeali @ Aejazali @ Aejaz Haidari and no petition has been filed for probate or Letter of Administration.

5. This Court has perused and examined the aforementioned documents. The 1st petitioner was examined as P.W.1 by filing proof affidavit and 18 documents were marked. As seen from the copy of death certificate marked as Ex.P1, Abdeali @ Aejazali @ Aejaz Haidari died on 01.05.2016 and as seen from the photocopy of Legal Heirship certificate, marked as Ex.P2, the petitioners are the only Legal Heirs of the deceased Abdeali @ Aejazali @ Aejaz Haidari. Ex.P3 is the photocopy of the Aadhaar card of the deceased Abdeali @ Aejazali @ Aejaz Haidari. Ex.P.4



is the Photocopy of Tamil Nadu Government Gazette dated 04.02.2004 in respect of name change of Aejaaz Ali as Abdeali. The Bank statement copy of the deceased which has been marked as Ex.P11 shows that a sum of Rs.51,37,133.64 is lying in the bank account of the deceased as on 19.04.2019 and Ex.P12 to Ex.P17 reveal that the deceased is having shares in the respective companies. The paper Publication has also been effected in one issue of Tamil Daily “Maalai Sudar” dated 05.12.2019 which has been marked as Ex.P18.

6. 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 deceased Abdeali @ Aejaazali @ Aejaaz Haidari died leaving behind the petitioners who are his only legal heirs and as per the documents Ex.P.11 to Ex.P.17, there are certain dues to the deceased Abdeali @ Aejaazali @ Aejaaz Haidari from HDFC Bank and other companies where the deceased was having shares in his name. Therefore, the relief of succession certificate sought for by the petitioners in OP No.893 of 2019 has to be granted in favour of the petitioners. Accordingly, the Original Petition is allowed. The petitioners are directed to pay the requisite succession duty, if any, before obtaining the Succession Certificate.



7. Registry is directed to issue succession certificate if the succession duty already paid or otherwise registry is directed to recover the succession duty from the petitioners for issuance of succession certificate.

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.)

From 25.09.2008 the Registry is issuing certified copies of the Orders/Judgments/Decrees in this format.