



O.P.No.444 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.12.2022

CORAM

THE HONOURABLE **MR.JUSTICE SENTHILKUMAR
RAMAMOORTHY**

O.P.No.444 of 2022

1.Bhuvaneswari
2.Varun
3.Vignesh

... Petitioners

PRAYER: Original Petition filed under Section 372 of Indian Succession Act, 1925 r/w Order 25 Rule 6 of O.S.Rules, to issue the Succession Certificate may be granted to in favour of the second petitioner with powere to collect the securities and to receive the interest and dividends and negotiate and transfer the securities specified in the schedule hereto.

For Petitioners : Mr.R.Aranganathan



O.P.No.444 of 2022

ORDER

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The petitioners seek grant of a Succession Certificate in favour of the second petitioner in respect of the securities and debts described as items 1 to 3 in the schedule to the petition.

2. The petition relation to the assets of Mr.A.Krishnamani, who ordinarily resided, at the address specified in para No.5 of the petition, within the jurisdiction of this Court.

3. The petitioners state that the deceased was the husband of the first petitioner and that petitioners 2 & 3 are his children.

4. Evidence was adduced by the petitioners by examining the second petitioner as PW1 and the 37 documents listed at the foot of this order were exhibited as Exs.P1 to P37. The death certificate of the deceased (Ex.P1) discloses that he died on 21.01.2022. The said document also indicates the place of death and the place of residence, which is within the jurisdiction of this Court.



O.P.No.444 of 2022

5. The legal heirship certificate (Ex.P2) discloses the names of the three petitioners. It also discloses the name of the mother of the deceased, who pre-deceased him.

6. Documents pertaining to the relevant assets are exhibited as Exs.P3 to P29. The death certificate of the mother of the deceased is exhibited as Ex.P36. Paper Publication was effected in one issue of Tamil Daily “Makkal Kural” (Ex.P37).

7. On the basis of the assertions in the petition and the evidence recorded in support of the same, the petitioners are entitled to the relief claimed. Accordingly, O.P.No.444 of 2022 is allowed by granting the Succession Certificate to the second petitioner in respect of the securities and debts described in the schedule to the petition. Consequently, the second petitioner is entitled to collect the securities or debts, as the case may be, receive interest and dividends thereon and negotiate and transfer the same.

15.12.2022

Index : Yes / No
Internet : Yes /No
dna

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Petitioner's witness:

P.W.1 – Mr.K.Varun

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Documents exhibited by the petitioners:

<i>Exhibit No.</i>	<i>Description</i>
Ex.P1	The computer generated death certificate of Mr.A.Krishnamani.
Ex.P2	The computer generated legal heir ship certificate of Mr.A.Krishnamani.
Ex.P3	The computer generated statement of demat account bearing client ID No.20757473 standing in the name of A.K.Mani.
Ex.P4	The photocopy of the share certificate bearing certificate No.006226608 standing in the name of Mr.A.K.Mani issued by the State Bank of India (Compared with the original).
Ex.P5	The photocopy of the share certificate bearing certificate No.599 standing in the name of Mr.A.K.Mani issued by the Precision Wires India Limited (Compared with the original).
Ex.P6	The photocopies of the share certificates standing in the name of Mr.A.K.Mani issued by the Supertex Industries Limited (Compared with the original).(series 2 Nos.)
Ex.P7	The photocopy of the share certificate bearing certificate No.150 standing in the name of Mr.A.K.Mani issued by the GTN Textiles Limited (Compared with the original).
Ex.P8	The photocopies of the share certificates standing in the name of Mr.A.K.Mani issued by the Kirloskar Oil Engines Limited (Compared with the original).(series 3 Nos.)
Ex.P9	The photocopy of the share certificate bearing certificate No.38159 standing in the name of Mr.A.K.Mani issued by the Salzer Electronics Limited (Compared with the original).
Ex.P10	The photocopy of the share certificate bearing certificate No.440 standing in the name of Mr.A.K.Mani issued by the



<i>Exhibit No.</i>	<i>Description</i>
	Chennai Ferrous Industries Limited (Compared with the original).
Ex.P11	The photocopy of the share certificate bearing certificate No.440 standing in the name of Mr.A.K.Mani issued by the Gita Renewable Energy Limited (Compared with the original).
Ex.P12	The photocopy of the share certificate bearing certificate No.745744 standing in the name of Mr.Mani issued by the DCM Shriram Industries Limited (Compared with the original).
Ex.P13	The photocopies of the share certificates standing in the name of Mr.A.K.Mani issued by the Sree Rayalaseema Alkalies and Allied Chemicals Limited (Compared with the original). (series 2 Nos.)
Ex.P14	The photocopies of the share certificates standing in the name of Mr.A.K.Mani issued by the K.S.Oils Limited (Compared with the original). (series 2 Nos.)
Ex.P15	The photocopy of the share certificate bearing certificate No.00020270 standing in the name of Mr.A.K.Mani issued by the Alfred Herbert (India) Limited (Compared with the original).
Ex.P16	The photocopy of the share certificate bearing certificate No.19656 standing in the name of Mr.A.Krishna Mani issued by the Gujarat Reclaim & Rubber Products Limited (Compared with the original).
Ex.P17	The photocopy of the share certificate bearing certificate No.6005 standing in the name of Mr.A.K.Mani issued by the Tamil Nadu Steel Tubes Limited (Compared with the original).
Ex.P18	The photocopy of the share certificate bearing certificate No.34586 standing in the name of Mr.A.K.Mani issued by the Coimbatore Lakshmi Investment and Finance Company Limited (Compared with the original).



O.P.No.444 of 2022

<i>Exhibit No.</i>	<i>Description</i>
Ex.P19	The photocopy of the share certificate bearing certificate No.033530 standing in the name of Mr.Mani issued by the Moolchand Exports Limited (Compared with the original).
Ex.P20	The photocopies of the share certificates standing in the name of Mr.A.K.Mani issued by the Nedungadi Bank Limited (Compared with the original). (series 2 Nos.)
Ex.P21	The photocopies of the share certificates standing in the name of Mr.A.K.Mani issued by the Shree Krishna Petro Yarns Limited (Compared with the original).(series 2 Nos.)
Ex.P22	The photocopy of the share certificate bearing certificate No.00149986 standing in the name of Mr.Mani issued by the Kittu Steels Limited (Compared with the original).
Ex.P23	The photocopies of the share certificates standing in the name of Mr.A.K.Mani issued by the Munoth Investments Limited (Compared with the original).(series 2 Nos.)
Ex.P24	The photocopy of the front page of the Canara Bank passbook bearing account No.8452101051819 standing in the name of Mr.A.Krishnamani (Compared with the original).
Ex.P25	The photocopy of the front page of the Indian Bank passbook bearing account No.822352095 standing in the name of Mr.A.Krishnamani (compared with the original).
Ex.P26	The photocopy of the front page of the South Indian Bank Limited passbook bearing account No.0112053000010966 standing in the name of Mr.A.K.Mani (Compared with the original).
Ex.P27	The photocopy of the front page of the Indian Overseas Bank passbook bearing account No.044101000026853 standing in



O.P.No.444 of 2022

<i>Exhibit No.</i>	<i>Description</i>
	the name of Mr.A.Krishnamani (Compared with the original).
Ex.P28	The photocopy of the cheque book requisition slip of Punjab National Bank bearing Account No.10432010113190 standing in the name of Mr.A.Krishnamani (Compared with the original).
Ex.P29	The photocopy of the front page of the State Bank of India passbook bearing account No.10202976068 standing in the name of Mr.A.K.Mani (Compared with the original).
Ex.P30	The photocopy of the Aadhaar card of Mr.A.Krishnamani (Compared with the original).
Ex.P31	The photocopy of the Voter Identity Card of Mani (Compared with the original).
Ex.P32	The original Gas Cylinder Bill standing in my name.
Ex.P33	The photocopy of the Aadhaar card of the 1st petitioner (Compared with the original).
Ex.P34	The photocopy of my Aadhaar card (Compared with the original).
Ex.P35	The photocopy of the Aadhaar card of the 3rd petitioner (Compared with the original).
Ex.P36	The computer generated death certificate of T.G.Suba Lakshmi.
Ex.P37	The copy of paper publication effected in one issue of Tamil daily "Makkal Kural" dated 19.09.2022.

15.12.2022



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O.P.No.444 of 2022

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