



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. 828 of 2021

In the matter of the Indian Succession
Act, XXXIX of 1925
and
In the matter of securities of
V.Alamelu (deceased) Intestate

1. V.VENKATACHALAM,
S/o.Velappan,
122,123, East Car Street,
F2, 1st Floor,
VGS Golden Roof Apartments,
Chidambaram - 608001.

2. V.MEYAPPAN
S/o.V.Venkatachalam,
No.10, Police Line Street,
Karur - 639 001.

3. V.VELAPPAN
S/o.V.Venkatachalam,
No.2, South Street,
V.P.Colony, Meenu Apartments,
Ground Floor, Ayanavaram,
Chennai - 600 023.

4. V.V.VENKATACHALAM
S/o.V.Venkatachalam,
122,123, East Car Street,
F2, 1st Floor, VGS Golden Roof Apartments,
Chidambaram - 608 001.



WEB COPY

This original petition praying that this Hon'ble court be pleased that the succession certificate may be granted to all the petitioners with power to collect the securities and to receive the interest and dividends thereon 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 Section 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 herein is the husband of the deceased V.Alamelu. The petitioners 2 to 4 are the sons of the deceased V.Alamelu and they are the only Class – I legal heirs of deceased V.Alamelu, who died intestate on 29.07.1994. During her life time, the deceased V.Alamelu, invested in Equity shares in the Company named Tube Investments of India Limited as mentioned in the schedule of property annexed to the petition. But her legal heirs are not aware of the



investment made by the deceased V.Alamelu in the said Company and they only came to know about her investments, when they have received notice from the aforesaid Company. The total amount of the assets value will be for a sum of Rs.1,13,61,280/-. The petitioners are filing this petition for grant of Succession Certificate in favour of all of them.

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 V.Alamelu.

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 all 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, Mr.V.Velappan, the third petitioner herein, is examined as PW.1 and marked Exs.P1 to P7. Ex.P1 is the original death certificate of V.Alamelu Achi. Ex.P2 is the computer generated Legal



Heirship Certificate in respect of the deceased V.Alamelu Achi. Ex.P3 is the photocopy of the share certificate bearing certificate no.237331 issued by Tune Investments of India Limited standing in the name of V.Alamelu Achi. Ex.P4 is the photocopy of the share certificate bearing certificate no.237332 issued by Tune Investments of India Limited standing in the name of V.Alamelu Achi. Ex.P5 is the photocopy of the share certificate bearing certificate no.237333 issued by Tune Investments of India Limited standing in the name of V.Alamelu Achi. Ex.P6 is the photocopy of the share certificate bearing certificate no.500012 issued by Tune Investments of India Limited standing in the name of V.Alamelu Achi. Ex.P7 is a copy of paper publication effected in one issue of Tamil daily “Dina Kural” dated 18.03.2022.

6. On perusal of Ex.P2, the Legal Heirship Certificate of the deceased V.Alamelu, it would show that the petitioners are the Class I legal heirs of the deceased V.Alamelu. Despite the paper publication also, none has appeared and raised their objections.

7. Considering the averments made in the petition and the evidence tendered by PW.1 along with the documents marked as Exs.P1 to P7, this

Court is satisfied that the petitioners have succeeded for the Estate of the



deceased V.Alamelu. 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 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.)

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