



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

MONDAY, THE 27TH DAY OF JUNE 2022

THE HON'BLE MR. JUSTICE KRISHNAN RAMASAMY

O.P.No. 786 of 2021

In the matter of Indian Succession
Act, XXXIX of 1925
and
In the matter of Securities of Mr.K.T.
Kalyana Krishnan @ Kottur
Tiruvengada Kalyanakrishnan-
Deceased Intestate

1. MRS.MEENAKSHI KALYANAKRISHNAN

W/o.Late Mr.K.T.Kalayana Krishnan,
No.53/90, Abiramapuram, 4th Street,
Teynampet, Chennai - 600 018.

2.MR.K.K.VENKATRAMAN

S/o.Late Mr.K.T.Kalyana Krishnan,
No.53/90, Abiramapuram 4th Street,
Teynampet, Chennai - 600 018.

3.MRS. K.K.VISHNUPRIYA

W/o.Mr.R.Muruges,
D/o.Late Mr.K.T.Kalyana Krishnan,
No.41/87, Ashok Prithvi Flat,
Abiramapuram 4th Street,
Teynampet, Chennai - 600 018.

..Petitioners

This original petition praying that this Hon'ble court be pleased to

grant a Succession Certificate in respect of the securities of the deceased

Mr.K.T.Kalyana Krishnan @ Kottur Thiruvengada Kalyanakrishnan in



favour of the first petitioner, with the power to collect the securities and to receive the interest and dividends and also to negotiate and to 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, 1925 read with Order XXV Rule 6 of the Original Side Rules, to grant succession certificate in favour of the first petitioner.

2. It is the case of the petitioners that they are the legal heirs of the deceased Mr.K.T.Kalyana Krishnan @ Kottur Thiruvengada Kalyana Krishnan, who died intestate on 02.06.2021. The first petitioner is the wife of the deceased and the petitioners 2 and 3 are the son and daughter of the deceased. Accordingly to the petitioners, the deceased Mr.K.T.Kalyana Krishnan @ Kottur Thiruvengada Kalayana Krishnan owned various securities as stated in the schedule. Therefore, they have filed the present petition for grant of succession certificate in favour of the first petitioner herein, with the power to collect the securities and to receive the interest and dividends and also to negotiate and to transfer the securities specified in the schedule hereunder.



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3. It is further stated that other than the petitioners, there are no other relatives to succeed to the estate of deceased Mr.K.T.Kalyana Krishnan @ Kottur Thiruvengada Kalayana Krishnan as legal heirs. Further, 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 1st petitioner with the power to collect the securities and to receive the interest and dividends and also to negotiate and to transfer the securities specified in the schedule hereunder.

4. In order to prove their case, the first petitioner examined herself as P.W.1 and marked the following documents;

(1) Ex.P1 - computer generated death certificate of K.T.Kalyana Krishnan.

(2) Ex.P2 - computer generated Legal Heirship certificate in respect of K.T.Kalyana Krishnan

(3) Ex.P3 - photocopies of the share certificates issued by Shriram



(4) Ex.P4 - photocopy of the share certificate bearing certificate No.603651 issued by Shriram Transport Finance Company Limited standing in the name of K.T.Kalyana Krishnan.

(5) Ex.P5 - photocopies of the share certificates issued by City Union Bank Limited standing in the name of K.T.Kalyana Krishnan

(6) Ex.P6 - photocopies of the share certificates issued by Thanjavur Textiles Limited standing in the name of K.T.Kalyana Krishnan

(7) Ex.P7 - photocopies of the share certificates issued by Rajapalayam Mills Limited standing in the name of K.T.Kalyana Krishnan

(8) Ex.P8 - photocopies of the share certificates issued by Thiru Arooran Sugars Limited standing in the name of K.T.Kalyana Krishnan

(9) Ex.P9 - computer generated statement of demat account with IDBI Limited.

(10) Ex.P10 - consent affidavit given by the 2nd petitioner

(11) Ex.P11 - consent affidavit given by the 3rd petitioner

(12) Ex.P12 - copy of paper publication effected in one issue of Tamil Daily "Makkal Kural" dated 22.03.2022.

5.Further, the other petitioners, viz., petitioners 2 and 3 have given consent affidavits expressing no objection for grant of succession certificate



Exs.P10 and P11.

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6. Considering the averments made in the petition and the evidence tendered by PW.1 along the documents marked as Exs.P1 to P12, this Court is satisfied that the first petitioner has succeeded the Estate of the deceased. Therefore, the petition is ordered as prayed for and a direction for grant of Succession Certificate to the 1st petitioner, with the power to collect the securities and to receive the interest and dividends and also to negotiate and to transfer the securities specified in the schedule hereunder, is issued.

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

Sd/.K.R.J.
27.06.2022

//Certified to be a true copy//

Dated at Madras this the day of 2022.

su.30/06/2022

COURT OFFICER(O.S.)

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