



This Petition has been filed under Section 372 of the Indian Succession Act 1925, seeking issuance of a Succession certificate relating to the shares held by one Gopi Bai / mother of the petitioner and the respondents herein and who, it is claimed died intestate on 01.06.2006. It was stated that at the time of death, she owned 145 equity shares in TATA Honeywell Ltd. Necessarily a succession certificate has to be issued for obtaining the monies worth of the said shares or for transfer of names by the company with respect to the said shares.

2. The respondents/sisters of the petitioner had independently filed consent affidavits relinquishing their right over the share certificates, which would imply that the petitioner would be entitled to claim right over the entire 145 equity shares of the aforementioned company.

3. Notice had been directed to the respondents and counsel had also entered appearance. The petitioner was directed to tender evidence and accordingly, he had adduced evidence. The death certificate of his mother Gopi Bain and also the details



relating to the share certificate had been filed as documents. Judicial notice can be taken of the consent affidavits filed by the two respondents.

4. In view of the fact that the statements that the mother Gopi Bai died cannot be either disputed or denied, that she owned shares as stated in the schedule to the petition cannot either be denied or disputed or that the petitioner and the respondents were her only legal heirs again cannot be denied or disputed and that the respondents had relinquished their right over the shares and had filed consent affidavits can be taken judicial note of this Court by taking into consideration of the above facts, the only conclusion which can be reached is that the petitioner is entitled for Succession certificate as sought.

5. Accordingly, this Petition stands allowed as prayed for.

06.09.2022

Index:Yes/No
Internet :Yes/No
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C.V.KARTHIKEYAN, J.



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O.P.No. 820 of 2021

06.09.2022