



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

WEDNESDAY, THE 20TH DAY OF APRIL 2022

THE HON'BLE MR. JUSTICE P.VELMURUGAN

O.P.No.821 of 2021

In the matter of Indian
Succession Act XXXIX, 1929

and

In the matter of securities of
(Late) Ve.Lakshmanan – Died
Intestate

1. Tmt.Vellachi.L
W/o.Late Ve.Lakshmanan,
Aged About 78 years,

2. Tmt.Valliammai.K.
D/o.Late Ve.Lakshmanan,
Aged about 56 years

3. Tmt.Alagammai CT.
D/o.Late Ve.Lakshmanan,
Aged about 53 years,
All are residing at
76/28, 4th Trust Cross Street,
Mandavelipakkam,
Chennai-600 028

..Petitioners

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

Succession Certificate may be granted to the second petitioner with power



to collect the securities and to receive the interest and dividends on and negotiate and transfer the securities specified in the scheduled in the petition.

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

This Original petition has been filed under Section 372 of the Indian Succession Act, 1925 read with Order XXV Rule 6 of Original Side Rules, to grant succession certificate in favour of the second petitioner.

2. In the petition, it is stated that the deceased Ve.Lakshmanan ordinarily and permanently resided at 76/28, 4th Trust Cross Street, Mandavelipakkam, Chennai 600 028 and died on 11.01.2021 and left the properties within the jurisdiction of this Court. The deceased died intestate and that due and diligent search has been made for a Will, but none has been found. At the time of the death, the deceased left behind his wife and two daughters, the petitioners herein as his Class I legal heirs. The petitioners, who are claims to be entitled equal share of the estate of the deceased. The succession certificate is required for the purpose of obtaining Equity Shares standing in the name of the deceased and the details of the securities are furnished in the schedule to the petition and its value is Rs.46,49,475/-.

3.It is further stated that the petitioners 1 and 3 have no objection for



granting Succession Certificate in favour of the 2nd petitioner and they have also given consent affidavit to that effect.

4.The 2nd petitioner examined herself as P.W.1 and marked the following documents viz., Exs.P1 to P7.

<i>Exhibits</i>	<i>Nature of the documents</i>
P1	Computer generated Legal Heirship Certificate of Ve.Lakshmanan
P2	Computer generated Legal Heirship Certificate of Ve.Lakshmanan
P3	Photocopy of Aadhar card of 2 nd petitioner
P4	Original statement of holding as on 23.08.2021, standing in the name of Ve.Lakshmanan.
P5	Consent affidavit given by 1 st petitioner
P6	Consent affidavit given by 3 rd petitioner
P7	Copy of paper publication effected in one issue of Tamil daily "Makkal Kural" dated 14.03.2022.

5.From the evidence available on record, it is clear that Ve.Laskhmanan died on 11.01.2021 at No.76/28, 4th Trust Cross Street, Mandavelipakkam, Chennai 600 028, leaving behind the petitioners as his surviving legal heirs. To prove the same Ex.P1/Death Certificate and Ex.P2/Legal Heirship Certificate were marked.

6.An averment has also been made in the petition that no application

has been made to the District Court or delegate or to any High Court for

Probate of any Will of the deceased or Letters of Administration with or



without the Will annexed to his properties and credits. No application for Succession Certificate in respect of any debts or security belonging to the estate of the deceased has been made to any District Court or delegate or to any High Court.

7. After giving due consideration to the averments contained in the petition as well as the Exhibits marked on the side of the petitioners, I am satisfied that the 2nd 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 2nd petitioner with power to collect the securities and to receive interest, dividends thereon and negotiate and transfer the securities as specified in the schedule.

Sd/.P.V.J.
20.04.2022

//Certified to be a true copy//

Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)

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SU/02.05.2022