



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

FRIDAY, THE 18TH DAY OF MARCH 2022

THE HON'BLE MR. JUSTICE P.VELMURUGAN

O.P.No.752 of 2021

In the matter of the Indian
Succession Act 1925
and
In the matter of certain
securities of M.S.V.N.Thaiyal
Nayagi Achi-Intestate Deceased

1. N.VISWANATHAN
S/o.M.S.V.Narayanan Chettiar,
Sri Ratna Flat 2B, New No.3,
Old No.2, Mahalingam Street,
Mahalingapuram, Chennai - 600 034.

2. N.VALLIAMMAI
W/o.S.Nachiappan,
Gokhale Residency, Flat No.5,
3rd Floor, New No.7, Lakshmi Colony,
North Crescent Road, T.Nagar,
Chennai - 600 017.

Now at
No.1223, Ancrum Hill Lane,
Sugar Land,
Texas - 77479, USA.

..Respondents

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



the securities and to receive interest, 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 Original petition has been filed for grant of succession certificate by the legal heirs of the deceased M.S.V.N.Thaiyal Nayagi Achi who died on 11.04.1991 at Chennai.

2. The petitioners are the son and daughter of the deceased. The husband and the parents of the deceased predeceased her. As M.S.V.N.Thaiyal Nayagi Achi died intestate, the petitioners who are the only legal heirs of the deceased have filed this petition for grant of Succession Certificate in their favour. The details of the securities for which the Succession Certificate is sought for, are furnished in the schedule to the petition and its value is Rs.2,000/-, according to the petitioners.

3. The first petitioner who is the son of the deceased has deposed as PW1 and filed his proof affidavit, before the learned Master. In his proof affidavit, he reiterated the content of the petition filed in support of this petition. Before the learned Master, the following documents were marked as Exhibits.

<i>Exhibits</i>	<i>Nature of the documents</i>
P1	Original death certificate of M.S.V.N.Thaiyal Nayagi Achi
P2	Original Legal Heirship certificate of M.S.V.N.Thaiyal Nayagi Achi
P3	(series 2 Nos.) are the photocopies of the share certificates bearing certificate Nos.15534 and 16307 issued by Bharat Bank Limited standing in the name of M.S.V.N.Thaiyal Nayagi Achi
P4	Copy of paper publication effected in one issue of Tamil daily "Makkal Kural" dated 28.01.2022.

4. 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 her 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.

5. This Court has perused and examined the aforementioned documents. As seen from the death certificate of M.S.V.N.Thaiyal Nayagi Achi marked as Ex.P1, she died on 11.04.1991. As seen from the Legal Heirship certificate, dated 18.01.2008 marked as Ex.P2, the petitioners are the only Legal Heirs for the deceased M.S.V.N.Thaiyal Nayagi Achi. Ex.P3, the share certificates issued by Bharat Bank Limited reveals that the said



publication has also been effected by the petitioners in one issue of Tamil daily “Makkal Kural” on 28.01.2022 which has been marked as Ex.P4.

6. After giving due consideration to the averments contained in the petition as well as the Exhibits marked on the side of the petitioners, this Court is of the considered view that the relief of succession certificate sought for by the petitioners in OP No.752 of 2021 has to be granted in favour of the petitioners. Accordingly, the Original Petition is allowed. The petitioners are directed to pay the requisite succession duty, if any, before obtaining the Succession Certificate.

Sd/.P.V.J.
18.03.2022

//Certified to be a true copy//

Dated at Madras this the day of 2022

SU./28.03.2022

COURT OFFICER(O.S.)

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