



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

TUESDAY, THE 08TH DAY OF MARCH 2022

THE HON'BLE MR. JUSTICE P.VELMURUGAN

O.P.No. 751 of 2021

In the matter of Indian
Succession Act XXXIX of 1925
and
In the matter of certain
securities of S.Jayaraman died
intestate

1. J.RADHAKRISHNAN

2. J.SUNDARESAN

3. J.SANKARAN

4. J.RAGHURAMAN

5. N.VIJAYALAKSHMI

All residing at No.8,
Jagadambal Colony II Street,
Royapettah, Chennai - 600 014.

..Petitioners

Original Petition praying that this Hon'ble Court be pleased that a Succession Certificate may be granted to the 1st Petitioner with power to collect the securities and to receive the interest and dividends on and negotiate and transfer of the securities specified in the schedule in the petition.



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

This Original petition has been filed by the petitioners for grant of succession certificate in favour of the first petitioner for the deceased S.Jayaraman who died on 26.12.1985.

2. The petitioners 1 to 4 are the sons and the petitioner 5 is the daughter of the deceased S.Jayaraman leaving behind his wife and the petitioners herein as his only legal heirs. Subsequently, J.Nagalakshmi, the wife of the deceased died on 16.04.2016. The details of the securities for which the Succession Certificate is sought for, are furnished in the schedule to the petition.

3. The first petitioner who is the one of the sons of the deceased, has deposed as PW1 and filed his proof affidavit, before the learned Master in support of this petition for grant of succession certificate. Before the learned Master, the following documents were marked as Exhibits:



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<i>Exhibits</i>	<i>Nature of the documents</i>
P1	Original death certificate of Jayaraman
P2	Photocopy of the legal heirship certificate of S.Jayaraman
P3	Computer generated death certificate of J.Nagalakshmi
P4	Computer generated legal heirship certificate of Nagalakshmi
P5	Original letter dated 19.09.2018 addressed to the 2 nd petitioner by Integrated Registry Management Services Private Limited
P6	Original letter dated 14.01.2019 addressed to the 2 nd petitioner by Integrated Registry Management Services Private Limited
P7	Original letter dated 24.09.2018 addressed to the 2 nd petitioner by Sundaram-Clayton Limited
P8	Original letter dated 24.09.2018 addressed to the 2 nd petitioner by Sundaram-Clayton Limited
P9	Downloaded copy of the present share value
P10	Consent affidavit given by the 2 nd petitioner
P11	Consent affidavit given by the 3 rd petitioner
P12	Consent affidavit given by the 4 th petitioner
P13	Consent affidavit given by the 5 th petitioner
P14	Copy of paper publication effected in one issue of Tamil daily "Makkal Kural" dated 12.01.2022

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 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.



5. This Court has perused and examined the aforementioned documents.

6. It is seen from the death certificate of S.Jayaraman, Ex.P1 that he died on 26.12.1985. Ex.P2, the legal heirship certificate of S.Jayaraman reveals that the wife of the deceased and the petitioners herein are the legal heirs of the deceased. Ex.P3, the death certificate of J.Nagalakshmi, the wife of the deceased shows that she died on 16.04.2016. Ex.P4, the legal heirship certificate of J.Nagalakshmi, the wife of the deceased reveals that the petitioners are her only legal heirs. The deceased S.Jayaraman was holding shares in Integrated Regisry Management Services Private Limited and Sundaram-Clayton Limited which is evidenced from Ex.P5 to Ex.P8, letters from the respective companies to the second petitioner. The petitioners 2 to 5 have given their consent for granting succession certificate to the first petitioner by giving separate consent affidavits which have been marked as Ex.P10 to Ex.P13. The present share value has been marked as Ex.P9. Paper publication has been effected in one issue of Tamil daily “Makkal Kural” dated 12.01.2022 and the same has also been marked as Ex.P14.

7. 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 in OP No.751 of 2021 shall be granted to the first petitioner.

Accordingly, this 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.
08.03.2022

//Certified to be a true copy//

Dated at Madras this the day of 2022.

SU/11.03.2022

COURT OFFICER(O.S.)

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