



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

TUESDAY, THE 01ST DAY OF MARCH 2022

THE HON'BLE MR. JUSTICE P.VELMURUGAN

O.P.No.1082 of 2018

In the matter of Indian Succession
Act, XXXIX of 1925

and

In the matter of certain securities
of Tara Sundar – died intestate

* **1. VINAY SURANA**
S/o.Mr.Neelam Chand Surana,
No.1, Murugappan Street,
Sowcarpet,
Chennai-600001.

* **2. NEELAM CHAND SURANA**
S/o.Late Mr.Bhawarilal Surana,
No.32/1, Murugappan Street,
Sowcarpet, Chennai-600001.

* **(The 2nd petitioner impleaded as per
Order dated 19.7.2019, and time extended 02.08.2019,
and 27.09.2019 in A.No.5027/2019
in O.P.No.1082 of 2018)**

..Petitioners

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

Succession Certificate may be granted to the petitioners with power to

collect the securities and to receive the interest and dividends on and



negotiate and transfer 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 first petitioner for grant of succession certificate for the deceased Tara Sundar. Thereafter the husband of the deceased who is the father of the first petitioner was impleaded as the second petitioner vide order of this Court passed in A.No.5027 of 2019 in O.P.No.1082 of 2018.

2. The first petitioner is the son and the second petitioner is the husband of the deceased Tara Sundar who died on 27.07.2006 leaving behind the petitioners herein as her only legal heirs. 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 son 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	Computer generated copy of the death certificate of Tara Sundar who died on 27.07.2006.
P2	Computer generated copy of the legal heirship certificate dated 23.05.2018 in respect of Tara Sundar
P3	Photocopy of the share certificate of Dalmia Bharat Enterprises Limited bearing registered Folio No.DEL0002706 and certificate No.2721 in the name of Tara Sundar
P4	Copy of paper publication effected in one issue of Tamil daily "Makkal Kural" dated 16.02.2019

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.

6. It is seen from the death certificate of Tara Sundar, Ex.P1 that she died on 27.07.2006. The deceased Tara Sundar was holding shares in



No.DEL0002706 and certificate No.2721 which is evidenced from Ex.P3, the share certificate. Paper publication has also been effected in one issue of Tamil daily “Makkal Kural” dated 16.02.2019 and the same has also been marked as Ex.P4.

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.1082 of 2018 shall be granted to the petitioners. 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.
01.03.2022

//Certified to be a true copy//

Dated at Madras this the day of 2022.

SU/09.03.2022

COURT OFFICER(O.S.)

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