



O.P.No.403 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.02.2023

CORAM

THE HONOURABLE **MR.JUSTICE SENTHILKUMAR RAMAMOORTHY**

O.P.No.403 of 2022

1. Ananthi, W/o.Late S.Chandramouli

2. Saikrupa, D/o. Late S.Chandramouli
both residing at 21/5 B40,
Abirami Flat,
Babu Rajendra Prasath First Street,
West Mambalam,
Chennai-600 033.

... Petitioners

PRAYER: Original Petition filed for Succession Certificate under Section 372 of Indian Succession Act, 1925 and under Order XXV Rule 6 of Original Side Rules, prays to grant a Succession Certificate to the Petitioners and negotiate and transfer the securities specified in the schedule hereunder.

For Petitioners : Ms.M.Sugapriya for

M/s.J.Ravi Shankar

ORDER



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The petitioners have applied for grant of a succession certificate in respect of the securities listed in the schedule to this petition.

2. The petitioners assert that the husband of the first petitioner and the father of the second petitioner, Mr.S.Chandramouli, died intestate on 20.08.2019. The petitioners further state that a diligent search was made, but no Will was found. By further asserting that they are the only surviving class I legal heirs of the deceased, the present petition is filed.

3. In order to establish entitlement to the relief claimed, the petitioners adduced evidence by examining the first petitioner as PW1. In course of her examination-in-chief, the six documents listed at the foot of this order were exhibited as Exs.P1 to P6. The death certificate of Mr.S.Chandramouli (Ex.P1) discloses that he died on 20.08.2019. His address, including the permanent address, are disclosed therein and the said address is within the jurisdiction of this Court. The legal heirship certificate in respect of Mr.S.Chandramouli (Ex.P2) discloses the names of the two petitioners as his surviving class I legal heirs. Since the petition did not refer to the mother of



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the deceased, the petitioners were directed to file an appropriate affidavit.

The first petitioner has affirmed the affidavit dated 22.02.2023 stating that her mother-in-law, S.Kalyani, died on 13.04.2013. As evidence of ownership of the relevant shares by the deceased, Ex.P3 series has been placed on record. Paper publication was effected (Ex.P6).

4. Based on the assertions in the petition and the evidence adduced in support thereof, the petitioners are entitled to the relief claimed. Consequently, O.P.No.403 of 2022 is allowed by granting a succession certificate to the petitioners in respect of the securities described in the schedule to the petition. As a corollary, the petitioners are entitled to collect the securities, receive dividends thereon and negotiate and transfer the same.

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Index : Yes / No

Petitioners' witness:

P.W.1 – Mrs.Ananthi

Documents exhibited by the petitioners:

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<i>Exhibits</i>	<i>Documents</i>
Ex.P1	The computer generated death certificate of Mr.S.Chandramouli.
Ex.P2	The computer generated Legal Heirship Certificate of Mr.S.Chandramouli.
Ex.P3	(Series 9 Nos.) are the photocopies of the share certificates of Reliance Industries Limited standing in the name of Mr.Chandramouli Subramanian (Compared with the original).
Ex.P4	The photocopy of my Aadhaar card (compared with the original).
Ex.P5	The photocopy of the Aadhaar card of the 2 nd petitioner (compared with the original).
Ex.P6	The copy of paper publication effected in on issue of Tamil daily “Maalai Malar” dated 09.10.2022.

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