



O.P.No.224 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 08.08.2023

CORAM

THE HONOURABLE Ms.JUSTICE **R.N.MANJULA**

O.P.No.224 of 2023

1. Mrs.Hemmanur Bharathidevi
2. Mrs.Sindhura Hemmanur
3. Miss.Hemmanur Srujana

... Petitioners

Original Petition filed under Section 372 of The Indian Succession Act, 1925 r/w. Order XXV Rule 6 of the Madras High Court Original Side Rules, 1956 to grant succession certificate 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 hereto.

For Petitioners : Mr.S.Sathish Kumar

ORDER

The petition filed under section 372 of the Indian Succession Act, 1925 r/w. Order XXV Rule 6 of the Madras High Court Original Side Rules, 1956 seeking issuance of Succession Certificate to the petitioners with power to



O.P.No.224 of 2023

collect the securities and to receive interests and dividends thereon and negotiate and transfer the securities specified in the schedule.

2. The securities described in the affidavit of assets were owned by one Hemmanur Umasankar, who is the husband of the first petitioner and the father of the petitioners 2 & 3. He died intestate on 12.06.2021 by leaving the petitioners alone as his legal heirs. Subsequent to his death, this petition has been filed by the petitioners seeking succession certificate.

3. The 1st petitioner examined herself as PW.1 and Ex.P1 to Ex.P5 were marked through her and they are listed as hereunder:-

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Computer generated death certificate of Hemmanur Umasankar
Ex.P2	Computer generated legal heirship certificate of Hemmanur Umasankar.
Ex.P3	Original statement of holding as on 13.02.2023 issued by HDFC Bank Limited, Chennai-600 024 in respect of shares and securities held by Uma Sankar Hemmanur in DP Account No.16281278
Ex.P4	Photocopy of the power of attorney dated 18.07.2022 executed by the 2 nd petitioner in my favour. (compared with the original)
Ex.P5	Copy of paper publication effected in one issue of Tamil daily “Makkal Kural” dated 24.06.2023.



O.P.No.224 of 2023

WEB COPY

4. Ex.P1 is the death certificate of O.S.Kashivyswanathan, who died on 12.06.2021. Ex.P2 is the computer generated legal heirship certificate of the deceased Hemmanur Umasankar, which would show that the petitioners alone are the legal heirs of the deceased. Since the petitioners are the only legal heirs, they are entitled to inherit the schedule mentioned properties equally among themselves.

5. The paper publication issued in Tamil Daily “Makkal Kural”, which is marked as Ex.P5 did not attract any objectors.

6. The above documentary evidence produced by the petitioners would prove their entitlement for the grant of Succession Certificate as prayed for.

7. Hence, the Original petition is ordered and the Succession Certificate shall be issued in favour of the petitioners, with power to collect the securities and to receive interest and dividends thereon and negotiate and transfer the securities specified in the schedule to the petition on payment of appropriate succession duty, if it is not paid already.

08.08.2023
(1/2)

Index :Yes/No
Speaking Order : Yes/No
kmi



O.P.No.224 of 2023

Petitioners' side witness:

P.W.1 – Mrs.Hemmanur Bharathidevi

Documents marked on the side of the petitioners:-

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Computer generated death certificate of Hemmanur Umasankar
Ex.P2	Computer generated legal heirship certificate of Hemmanur Umasankar.
Ex.P3	Original statement of holding as on 13.02.2023 issued by HDFC Bank Limited, Chennai-600 024 in respect of shares and securities held by Uma Sankar Hemmanur in DP Account No.16281278
Ex.P4	Photocopy of the power of attorney dated 18.07.2022 executed by the 2 nd petitioner in my favour. (compared with the original)
Ex.P5	Copy of paper publication effected in one issue of Tamil daily “Makkal Kural” dated 24.06.2023.

08.08.2023
(2/2)

kmi



WEB COPY



O.P.No.224 of 2023

R.N.MANJULA, J.

kmi

O.P.No. 224 of 2023

08.08.2023