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O.P.No.549 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.03.2023

CORAM

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

O.P.No.549 of 2022

Jagannadham Chetty P.V.

... Petitioner

Vs

1.P.V.Kamala Kumari

2.P.V.Jayalakshmi

3.P.V.Rangamannar Chetty

... Respondents

PRAYER: Original Petition filed for Succession Certificate under Section 372 of Indian Succession Act, 1925 under Order XXV Rule 6 of Original Side Rules, prays that a Succession Certificate may be granted in favour of the first Petitioner with powers to collect and encash the securities and also receive the interest as specified in the schedule annexed hereto.

For Petitioner : Mr.K.Balamurali
for Mr.Shivakumaran & Suresh

For Respondents : MR.G.S.Deepa
for Mr.R.Kaandeeban

ORDER

The petitioner seeks Succession Certificate in respect of the securities held by P.Manickyamma, who died intestate on 13.06.2012. P V Seshagiri Rao husband of P.Manickyamma had died on 14.02.1998. The petitioner and the 3rd respondent are the sons and 1st and 2nd respondents are the daughters of the deceased P.Manickyamma.



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2. The petitioner has been examined as P.W.1. He has produced the death certificate of the deceased P.V.Seshagiri Rao and P.Manickyamma, as Exs.P1 and P2, and the legal heirship certificate of the deceased P.V.Seshagiri Rao and P.Manickyamma, as Ex.P3 and Ex.P4 respectively. A perusal of Ex.P4 shows that the petitioner and the respondents are the only legal heir of the deceased P.Manickyamma. The respondents 1 to 3 have filed their consent affidavits expressing their no objection for grant of Succession Certificate in favour of the petitioner. The said consent affidavits have been marked as Exs.P21 to P23. A paper publication has been made and no objections have been received.

3.In view of the above evidence, the Original Petition is allowed granting Succession Certificate in favour of the petitioner since the respondents 1 to 3 have signified their consent for the grant, in respect of the securities mentioned in the schedule to the petition.

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Index :Yes/No

Petitioner's witness:

P.W.1 – Mr.Jagannadham



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Documents exhibited by the petitioners:

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Death certificate of Mr.P.V.Seshagiri Rao
Ex.P2	Death certificate of P.Manickyamma
Ex.P3	Photocopy of the Legal Heirship certificate of Mr.P.V.Seshagiri Rao
Ex.P4	Photocopy of the Legal Heirship certificate of Mr.P.Manickyamma
Ex.P5	Photocopy of share certificate bearing certificate No.1177372 issued by the GlaxoSmithKline Pharmaceuticals Limited standing in the name of Mrs.Manickyamma Pottumarthy
Ex.P6	Photocopy of share certificate bearing certificate No.177373 issued by the GlaxoSmithKline Pharmaceuticals Limited standing in the name of Mrs.Manickyamma Pottumarthy
Ex.P7	Photocopy of share certificate bearing certificate No.0903753 issued by the GlaxoSmithKline Pharmaceuticals Limited standing in the name of Mrs.Manickyamma Pottumarthy
Ex.P8	Photocopy of share certificate bearing certificate No.0441722 issued by the GlaxoSmithKline Pharmaceuticals Limited standing in the name of Mrs.Manickyamma Pottumarthy
Ex.P9	Photocopy of share certificate bearing certificate No.0903754 issued by the GlaxoSmithKline Pharmaceuticals Limited standing in the name of Mrs.Manickyamma Pottumarthy
Ex.P10	Photocopy of the share certificate bearing certificate No.0903755 issued by the GlaxoSmithKline Pharmaceuticals Limited standing in the name of Mrs.Manickyamma Pottumarthy
Ex.P11	Photocopy of the share certificate bearing certificate No.0903756 issued by the GlaxoSmithKline Pharmaceuticals Limited standing in the name of Mrs.Manickyamma Pottumarthy
Ex.P12	Photocopy of the share certificate bearing certificate No.0903757 issued by the GlaxoSmithKline Pharmaceuticals



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<i>Exhibits</i>	<i>Documents</i>
	Limited standing in the name of Mrs.Manickyamma Pottumarthy
Ex.P.13	Photocopy of the share certificate bearing certificate No.0903758 issued by the GlaxoSmithKline Pharmaceuticals Limited standing in the name of Mrs.Manickyamma Pottumarthy
Ex.P14	Photocopy of the share certificate bearing certificate No.0903759 issued by the GlaxoSmithKline Pharmaceuticals Limited standing in the name of Mrs.Manickyamma Pottumarthy
Ex.P15	Photocopy of the share certificate bearing certificate No.0903760 issued by the GlaxoSmithKline Pharmaceuticals Limited standing in the name of Mrs.Manickyamma Pottumarthy
Ex.P16	Photocopy of the account summary issued by the Franklin Templeton, Mumbai in respect of the shares and securities held by Mrs.Manikyamma in customer Folio No.14843029
Ex.P17	Photocopy of the share certificate bearing certificate No.034478 issued by the Sri Chamundeswari Sugars Limited standing in the name of Mrs.Manickyamma
Ex.P18	Photocopy of the share certificate bearing certificate No.42189 issued by the Sri Chamundeswari Sugars Limited standing in the name of Mrs.Manickyamma
Ex.P19	Photocopy of the share certificate bearing certificate No.0048716 issued by the Sri Chamundeswari Sugars Limited standing in the name of Mrs.Manickyamma
Ex.P20	Photocopy of the letter dated 30.08.2012 addressed to the petitioner by the Karvy Computershare Private Limited asking for succession certificate
Ex.P21	Consent affidavit given by the 1 st respondent
Ex.P22	Consent affidavit given by the 2 nd respondent
Ex.P23	Consent affidavit given by the 3 rd respondent
Ex.P24	Copy of the paper publication effected in one issue of Tamil



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<i>Exhibits</i>	<i>Documents</i>
	daily “Makkal Kural” dated 07.01.2023

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