



O.P.No.263 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **18.08.2023**

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA
O.P.No.263 of 2023

1.Tmt.Vakuladevi L Narasimhan
2.P.L.Priyanka
3.P.L.Kushal
4.Ranga Reddy Pelluru
5.P.R.Lalithah

... Petitioners

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 to the first petitioner with the powers to collect the Securities and to receive interest and dividends on, transfer and Negotiate the said Securities as specified in the schedule.

For Petitioners : Ms.K.P.Uma Maheswari

ORDER

This Original Petition has been filed under Section 372 of the Indian Succession Act, 1925 seeking issuance of Succession Certificate to the first petitioner in respect of schedule mentioned securities of the deceased



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R.Lakshmi Narasimhan.

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2.The averments in the Petition are as follows:-

The petition mentioned assets were originally belonged to one R.Lakshmi Narasimhan who is the husband of the first petitioner, father of the petitioners 2 and 3 and the son of the petitioners 4 and 5. The said R.Lakshmi Narasimhan died intestate on 05.08.2001 leaving behind the petitioners as his legal heirs. There are no other legal heirs of the deceased except the petitioners herein. The petitioners 2 to 5 have filed consent affidavits for granting Succession Certificate in favour of the first petitioner. Therefore, there is no impediment in granting Succession Certificate in favour of the first petitioner. Hence, for the purpose of transmitting the securities mentioned in the schedule to the name of the petitioners, they have come out with this Petition and prayed for the issuance of Succession Certificate.

3. Paper publication effected. There is no objector.

4. The first petitioner examined herself as PW.1 and Ex.P1 to Ex.P9



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were marked.

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5. Ex.P1 is the death certificate of R.Lakshmi Narasimhan who died on 05.08.2001 and the legal heir certificate of the deceased is marked as Ex.P2. Ex.P2 shows that the petitioners alone are the legal heirs of the deceased. Ex.P3 to P6 are the consent affidavits of the petitioners 2 to 5. Since the deceased died intestate, the petitioners who are the legal heirs have got the right to inherit the securities mentioned in the schedule equally among themselves. Therefore, the petitioners have filed this Petition for grant of Succession Certificate.

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

7. Hence:

(a) this Original Petition is ordered and

(b) The Succession Certificate shall be issued in favour of the first petitioner, with power to collect the securities with interest and dividends on and negotiate and transfer the securities specified in the schedule to the



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Petition on payment of appropriate succession duty, if not paid earlier.

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Index :Yes/No
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APPENDIX

Petitioners' Witness:

P.W.1 – Mrs.Vakuladevi L Narasimhan

Documents marked:

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	The photocopy of the death certificate of Mr.R.Lakshmi Narasimhan.
Ex.P2	The photocopy of the legal heirship certificate of Mr.R.Lakshmi Narasimhan.
Ex.P3	The consent affidavit given by the second petitioner.
Ex.P4	The consent affidavit given by the third petitioner.
Ex.P5	The consent affidavit given by the fourth petitioner.
Ex.P6	The consent affidavit given by the fifth petitioner.
Ex.P7	The photocopy of the share certificate of Kabra Extrusiontechnik Limited bearing folio No.0022770 and certificate No.0100862 which stands in the name of Mr.R.Lakshmi Narasimhan.
Ex.P8	The photocopy of the share certificate of Kabra Extrusiontechnik Limited bearing folio No.0022770 and certificate No.0101814 which stands in the name of Mr.R.Lakshmi Narasimhan.
Ex.P9	The copy of the paper publication effected in one issue of Tamil Daily “Malai Murasu” dated 22.07.2023.

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