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O.P.No.81 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.08.2023

CORAM

THE HONOURABLE Ms.JUSTICE **R.N.MANJULA**
O.P.No.81 of 2020

B.Dhanarani

... Petitioner

-Vs.-

1.R.Uma Maheswari
2.R.Gopikrishnan
3.R.Balakumari

... Respondents

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 petitioner with the power to collect the securities and to receive interest and dividends thereon and negotiate and transfer the securities specified in the schedule hereunder.

For Petitioner : Ms.E.Maragatha Sundari

For Respondents: Mr.K.Vishal



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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 petitioner with power to collect the securities and to receive interest and dividends thereon and negotiate and transfer the securities specified in the schedule.

2. The petition mentioned securities were stood in the name of K.Balakrishna Reddiar and K.B.Dhanalakshmi Ammal, who are the parents of the petitioner. The said K.Balakrishna Reddiar died on 23.10.2014 and the mother K.B.Dhanalakshmi Ammal also pre-deceased her husband on 04.01.2014. The petitioner is the daughter of the deceased K.Balakrishna Reddiar and K.B.Dhanalakshmi Ammal. Subsequent to their death, the petitioner and the respondents have inherited the schedule mentioned securities equally amongst themselves. Since K.Balakrishna Reddiar died intestate leaving behind the petitioner as his legal heir, the petitioner has filed this petition to get the Succession Certificate in respect of the securities mentioned in the petition.



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3. News paper publication effected. No objectors.

4. The petitioner examined herself as PW.1 and Ex.P1 to Ex.P15 were marked through her and they are listed as hereunder:-

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Computer generated death certificate of K.Balakrishna Reddiar
Ex.P2	Photocopy of the Legal heirship certificate of K.Balakrishna Reddiar (Compared with Original)
Ex.P3	Computer generated death certificate of K.B.Dhanalakshmi Ammal
Ex.P4	Computer generated death Certificate of B.Rajbahdur
Ex.P5 (Series 14 nos.)	Share certificates standing in the name of K.Balakrishna Reddiar in Reliance Industries Limited.
Ex.P6 (Series 2 nos.)	Share certificates standing in the name K.Balakrishna Reddiar and K.B.Dhanalakshmi Ammal in Reliance Energy Limited.
Ex.P7 (Series 2 nos)	Share certificates standing in the name of K.Balakrishna Reddiar and K.B.Dhanalakshmi Ammal in Reliance Power Limited.
Ex.P8 (Series 2 nos.)	Share certificates standing in the name of K.Balakrishna Reddiar and K.B.Dhanalakshmi Ammal in Reliance Communication Ventures Limited.
Ex.P9 (Series 2 nos.)	Share certificates standing in the name of K.Balakrishna Reddiar and K.B.Dhanalakshmi Ammal in Mangalore Refinery and



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<i>Exhibits</i>	<i>Documents</i>
	Petrochemicals Limited.
Ex.P10 (Series 2 nos)	Share certificates standing in the name of K.Balakrishna Reddiar and K.B.Dhanalakshmi Ammal in Reliance Capital Limited.
Ex.P11	Share certificate standing in the name of K.Balakrishna Reddiar in Reliance Home Finance Limited.
Ex.P12	Consent affidavit of 1 st respondent.
Ex.P13	Consent affidavit of 2 nd respondent.
Ex.P14	Consent affidavit of 3 rd respondent.
Ex.P15	Paper publication effected in one issue of Tamil Daily “Makkal Kural” dated 12.01.2021.

5. Ex.P1 is the death certificate of K.Balakrishna Reddiar, who died on 23.10.2014. Ex.P2 is the computer generated legal heirship certificate of the deceased, which would show that the petitioner alone is the legal heir of the deceased. Since the deceased died intestate, the petitioner, who is the legal heirs has got the right to inherit the securities mentioned in the schedule. Since the deceased died intestate, the petitioner has filed this petition for grant of Succession Certificate to her. Exs.P1 to P11 would show that the securities standing in the name of K.Balakrishna Reddiar and K.B.Dhanalakshmi Ammal. The respondents 1 to 3 have given consent affidavit for granting the succession certificate in favour of the petitioner.



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6. The above documentary evidence produced by petitioner 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 petitioner, 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.

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Index :Yes/No

Speaking Order : Yes/No

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Petitioner side witness:

P.W.1 – Mrs.B.Dhanarani



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Documents marked on the side of the petitioner:

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Ex.P9 (Series 2 nos.)	Share certificates standing in the name of K.Balakrishna Reddiar and K.B.Dhanalakshmi Ammal in Mangalore Refinery and Petrochemicals Limited.
Ex.P10 (Series 2 nos)	Share certificates standing in the name of K.Balakrishna Reddiar and K.B.Dhanalakshmi Ammal in Reliance Capital Limited.
Ex.P11	Share certificate standing in the name of



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<i>Exhibits</i>	<i>Documents</i>
	K.Balakrishna Reddiar in Reliance Home Finance Limited.
Ex.P12	Consent affidavit of 1 st respondent.
Ex.P13	Consent affidavit of 2 nd respondent.
Ex.P14	Consent affidavit of 3 rd respondent.
Ex.P15	Paper publication effected in one issue of Tamil Daily “Makkal Kural” dated 12.01.2021.

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