



WEB COPY



O.P.No.767 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.04.2023

CORAM

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

O.P.No.767 of 2019

1.Jaya Ramachandran

2.Subramanian Ramachandran ... 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 in favour of the second Petitioner with powers to collect and encash the securities as specified in the schedule annexed hereto.

For Petitioners : Mr.Abhishek Jenasen

ORDER

The petitioners seek Succession Certificate in respect of the securities held by Savithri Ramachandran and Ramachandran Balakrishnan, both had died intestate on 07.06.2017 and 18.06.2009. The first petitioner is the daughter and the second petitioner is the son of the deceased Savithri Ramachandran and Ramachandran Balakrishnan.

2. The power agent of the petitioners has been examined as P.W.1. He has produced the death certificates of the deceased Savithri Ramachandran and Ramachandran Balakrishnan, as Exs.P6 and P7. The Powers of Attorney dated



O.P.No.767 of 2019

30.05.2018 executed by the petitioners in favour of the power agent Mr.Ganesh is marked as Exs.P1 and P2. The first petitioner has given her consent affidavit through power agent, expressing her no objection for the grant of succession certificate, and her consent affidavit is marked as Ex.P9. A paper publication has been made and any objections have not been received.

3. In view of the above said evidence, the Original Petition is allowed by granting Succession Certificate in favour of the second petitioner since the first petitioner has signified her consent for the grant, in respect of the securities mentioned in the schedule to the petition.

28.04.2023

gba

Index :Yes/No

Speaking order: Yes/ No

Neutral citation: Yes/ No

Petitioner's witness:

P.W.1 – Mr.Ganesh Prasad



O.P.No.767 of 2019

Documents exhibited by the petitioners:

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Original power of attorney dated 30.05.2018 executed by the 1 st petitioner in my favour
Ex.P2	Original power of attorney dated 30.05.2018 executed by the 2 nd petitioner in my favour
Ex.P3	Copy of G.O.(Rt) No.244 dated 26.12.2017 issued by the School Education (SE3(2)) Department in respect of family pension arrears to be paid to Mrs.R.Savithri
Ex.P4	Photocopy of the passport of the 1 st petitioner (original is not produced. Witness and counsel stated that the 1 st petitioner is now at abroad and the original passport is with her. Counsel for the petitioners insisted for marking of the photocopy of this document. This document is marked subject to its admissibility, proof and relevancy)
Ex.P5	Photocopy of the passport of the 2 nd petitioner (original is not produced. Witness and counsel stated that the 2 nd petitioner is now at abroad and the original passport is with her. Counsel for the petitioners insisted for marking of the photocopy of this document. This document is marked subject to its admissibility, proof and relevancy)
Ex.P6	Original death certificate of Mrs. Savithri Ramachandran
Ex.P7	Original death certificate of Mr.Ramachandran Balakrishnan
Ex.P8	Copy of paper publication effected in one issue of Tamil daily "Maalai Sudar" dated 28.11.2019
Ex.P9	Consent affidavit given by the 1 st petitioner by power of attorney Mr.Ganesh Prasad to the 2 nd petitioner by power of attorney Mr.Ganesh Prasad stating that he has no objection to grant succession certificate in favour of 2 nd petitioner (This consent affidavit is marked subject to its admissibility, proof



O.P.No.767 of 2019

<i>Exhibits</i>	<i>Documents</i>
	and relevancy)
Ex.P10	(series 2 Nos.) are the photocopies of the share certificates in Mangalore Refinery and Petrochemicals Limited held by R.Savithri and B.Ramachandran
Ex.P11	Photocopy of the share certificate in Hindustan Lever Limited held by R.Savithri and B.Ramachandran
Ex.P12	Photocopy of the share certificate in TATA Vashisti Detergents Limited held by R.Savithri and B.Ramachandran
Ex.P13	Photocopy of the share certificate in Indian Petrochemicals Corporation Limited held by R.Savithri and B.Ramachandran
Ex.P14	Photocopy of the share certificate in IP Rings Limited held by R.Savithri and B.Ramachandran
Ex.P15	(series 3 Nos.) are the photocopy of the share certificate in Unit Trust of India held by R.Savithri and B.Ramachandran
Ex.P16	Photocopy of the debenture certificate in Indian Petrochemicals Corporation Limited held by R.Savithri and B.Ramachandran (Exs.P10 to P16 originals are not produced. Counsel for the petitioners insisted for marking of the photocopy of these documents. These documents are marked subject to its admissibility, proof and relevancy)

28.04.2023

gba



WEB COPY



O.P.No.767 of 2019

K.KUMARESH BABU,J.

gba

O.P.No.767 of 2019

28.04.2023