



WEB COPY



O.P.No.240 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.09.2023

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA
O.P.No.240 of 2023

1.Mrs.Latha Sivakumar
2.Mr.N.Balamurugan

... 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 petitioners 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 : Mr.T.Karunakaran

ORDER

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

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



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The petition mentioned securities were belonged to one N.Ranjitham.

The said N.Ranjitham died on 02.05.2018 by leaving behind his son and daughter who are the petitioners herein as her legal heirs. The husband of the deceased predeceased her. The petitioners are the only surviving legal heirs of N.Ranjitham. There are no other legal heirs of the deceased except the petitioners herein. Therefore, there is no impediment in granting Succession Certificate in favour of the petitioners. Since Succession Certificate is required for the purpose of transferring the petition mentioned securities belonging to the deceased N.Ranjitham to the name of the petitioners, the petitioners 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 P.W.1 and Ex.P1 to Ex.P5 were marked.

5. Ex.P2 is the death certificate of N.Ranjitham who died on 02.05.2018. Ex.P3 is the legal heir certificate of N.Ranjitham and same would show that the petitioners are the only surviving legal heirs of the



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deceased. Since the deceased died intestate, the petitioners who are the only surviving legal heirs, have got the right to inherit the securities mentioned in the schedule. 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 petitioners, with power to collect the securities with interest and dividends on and negotiate and transfer the securities specified in the schedule to the Petition in equal proportion 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.Latha Sivakumar

Documents marked:

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	The photocopy of the share certificate of JSW Steel Limited bearing certificate No.2655406 standing in the name of Mrs.N.Ranjitham.
Ex.P2	The computer generated death certificate of Mrs.N.Ranjitham.
Ex.P3	The computer generated legal heir certificate of Mrs.N.Ranjitham.
Ex.P4	The photocopy of the share certificate of Canara Bank bearing Certificate No.922025 standing in the name of Mrs.N.Ranjitham.
Ex.P5	The copy of paper publication effected in one issue of Tamil Daily “Dina Kural” dated 13.07.2023.

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