



WEB COPY



O.P.No.40 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.08.2023

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA
O.P.No.40 of 2023

M.V.Rajaram

... Petitioner

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 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 Petitioner : Mr.S.Venkatesan

ORDER

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



O.P.No.40 of 2023

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

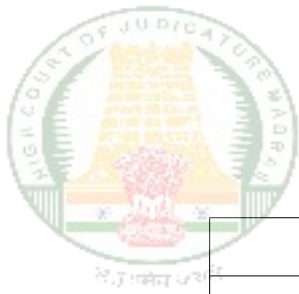
WEB COPY

The securities detailed in the Petition is belonging to one N.Venkataramanan who died intestate on 26.09.2017. The wife of N.Venkataramanan by name Janaki also predeceased N.Venkataramanan. The petitioner is the only son of the deceased N.Venkataramanan. There are no other legal heirs of the deceased except the petitioner herein. Therefore, there is no impediment in granting Succession Certificate in favour of the petitioner. Hence, for the purpose of transmitting the securities mentioned in the schedule to the name of the petitioner, he has come out with this Petition and prayed for the issuance of Succession Certificate.

3. Paper publication effected. There is no objector.

4. The petitioner examined himself as PW.1 and Ex.P1 to Ex.P6 were marked through him and they are listed as hereunder:

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	The computer generated death certificate of Mr.N.Venkataraman.
Ex.P2	The computer generated death certificate of Mrs.V.Janaki.



O.P.No.40 of 2023

<i>Exhibits</i>	<i>Documents</i>
Ex.P3	The computer generated legal heir certificate of N.Venkataramanan.
Ex.P4	The photocopies of the share certificates of Apollo Hospitals Enterprise Ltd. standing in the name of N.Venkataramanan and V.Janaki.
Ex.P5	The photocopy of the statement of holding dated 12.12.2018 issued by Stock Holding Corporation of India Ltd regarding the shares held by N.Venkataramanan.
Ex.P6	The copy of paper publication effected in one issue of Tamil daily “Makkal Kural” dated 15.04.2023.

5. Ex.P1 is the death certificate of N.Venkataramanan who died on 26.09.2017 and Ex.P2 is the death certificate of V.Janaki. The legal heir certificate of the deceased is marked as Ex.P3 and it shows that the petitioner alone is the legal heir of the deceased. Since the deceased died intestate, the petitioner who is his legal heir has got the right to inherit the securities mentioned in the schedule. Therefore, the petitioner has filed this Petition for grant of Succession Certificate.



WEB COPY



O.P.No.40 of 2023

R.N.MANJULA, J.

gsk

6. The above oral and documentary evidence produced by the petitioner would prove his entitlement for the grant of Succession Certificate as prayed by him.

7. Hence:

(a) this Original Petition is ordered and

(b) The Succession Certificate shall be issued in favour of the petitioner, with power to collect the debts 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.

10.08.2023

Index :Yes/No

gsk

O.P.No.40 of 2023