



O.P.No.216 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.09.2023

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THE HONOURABLE MS.JUSTICE R.N.MANJULA

O.P.No.216 of 2023

1. S.Venkatesan

2. S.Chandra

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Petitioners

Original Petition is filed under Section 372 of Indian Succession Act, 1925 r/w. Order XXV Rule 6 of the Madras High Court Original Side Rules, to grant succession certificate in favour of the petitioners with the power to collect the debts, securities and to receive the interest, dividends on and negotiate and transfer the securities specified in the schedule hereto.

For Petitioners : Mr.S.Sathiyarayanan

ORDER

This petition is filed under section 372 of the Indian Succession Act, 1925 r/w. Order XXV Rule 6 of the Madras High Court Original Side Rules, seeking issuance of Succession Certificate to the petitioners with the power to collect the debts, securities and to receive the interest, dividends thereon and negotiate and transfer the securities specified in the schedule hereto.



O.P.No.216 of 2023

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

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The petition mentioned movable assets like securities and bank balance were held by one S.Sadagopan. The said S.Sadagopan died as a bachelor on 17.05.2021. The petitioners are the brother and sister of S.Sadagopan. After the demise of S.Sadagopan, the petitioners, as his Class II legal heirs, are entitled to inherit the petition mentioned assets. Hence they have filed this petition seeking Succession Certificate.

3. The first petitioner examined herself as P.W.1 and marked Exs.P1 to P13.

4. Ex.P1 is the death certificate of S.Sadagopan. Exs.P6 to P11 are the share certificates owned by S.Sadagopan. Ex.P12 is the consolidated account statement for securities held in Demat Form by S.Sadagopan. Exs.P2 and P3 are the bank passbooks of State Bank of India and Bank of India held by S.Sadagopan.

5. Paper publication issued in one issue of Tamily daily “Makkal Kural” dated 03.07.2023 did not attract any objectors.



O.P.No.216 of 2023

6. Since the deceased died intestate, the petitioners who are his legal heirs have got the right to inherit the petition mentioned assets equally among themselves. The above documentary evidence produced by the petitioners would prove their entitlement for the grant of Succession Certificate as prayed.

7. Hence:

(a) The petition is **ordered** and

(b) The Succession Certificate shall be issued in favour of the petitioners, with power to collect the debts and securities and to receive interest and dividends on and negotiate and transfer the securities specified in the schedule equally among themselves on payment of appropriate succession duty, if it not paid already.

14.09.2023

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O.P.No.216 of 2023

Witnesses examined:

P.W.1 – S.Venkatesan

Documents marked :

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Computer generated death certificate of S.Sadagopan
Ex.P2	Photocopy of bank passbook of State Bank of India held by S.Sadagopan
Ex.P3	Photocopy of bank passbook of Bank of India held by S.Sadagopan
Ex.P4	Photocopy of letter dated 10.12.2021 sent by the first petitioner to the Tahsildar, Tambaram.
Ex.P5	Photocopy of letter dated 07.01.2022 received by the first petitioner to the Tahsildar.
Ex.P6	Photocopy of share certificate of United Spirits Limited in the name of S.Sadagopan
Ex.P7	Photocopy of share certificate of McDowell Holdings Limited in the name of S.Sadagopan
Ex.P8	Photocopies of share certificate of McDowell Holdings Limited in the name of S.Sadagopan
Ex.P9	Photocopies of share certificate of ICICI Bank Limited standing in the name of S.Sadagopan
Ex.P10	Photocopies of share certificate of Nagarjuna Oil Refinery Limited standing in the name of S.Sadagopan
Ex.P11	Photocopies of share certificate of VLS Finance Limited Limited standing in the name of S.Sadagopan
Ex.P12	Account statement for securities held in the Demat Form and investments in Mutual Funds in respect of S.Sadagopan
Ex.P13	Paper publication dated 03.07.2023

14.09.2023

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O.P.No.216 of 2023

R.N.MANJULA, J.

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O.P.No. 216 of 2023

14.09.2023