A.No.4011 of 2023
in O.P.No.101 of 2019

R.N.MANJULA, J.

This application has been filed to extend the succession certificate granted by order dated 22.11.2019 made in OP.No.101 of 2019 filed for grant of succession certificate to the petitioners with power to collect the securities and to receive the interest and dividends on and negotiate and transfer the securities specified in the schedule.

2. It is submitted by the learned counsel for the applicants that at the time of filing the above Original Petition, the applicants / petitioners were aware only about the shares held by the deceased Jai Prakash Agarwal in Equity shares and Redeemable non-convertible bonus debentures; however, now they came to know about the other shares held by the deceased Jai Prakash Agarwal; hence the applicants / petitioners have filed this application to grant extended succession certificate in respect of other shares which are scheduled in this application.

3. The difference between the schedule of securities in the above Original Petition and in this application is very large. Paper Publication has been effected in one issue of Tamil daily “Malaimurasu” on 16.09.2023 in respect of objection of this application and the same did not attract any objectors. Additional documents have been filed by the applicants to show that the securities stands in the name of deceased Jai Prakash Agarwal.

4. The learned counsel for the applicant invited the attention of this Court to Sec. 376 of the Indian Succession Act to extend the certificate already granted to include the additional shares as detailed in the application.

5. The first applicant is the wife and the second applicant is the daughter of late Jai Prakash Agarwal. From the legal heir certificate which has been already marked, it is confirmed that the applicants are the only legal heirs of late Jai Prakash Agarwal. The learned counsel for the applicants submitted that the shares now mentioned were not included in the original petition due to oversight and hence the succession certificate already granted should be extended to cover the shares now mentioned.

6. Taking into consideration of the relationship between the parties and also the submission made by the learned counsel for the applicant, I feel the succession certificate already granted should be extended in order to safeguard the interest of the applicants.

7. Accordingly, this application is allowed by extending the Succession Certificate already granted to the petitioner in OP.No.101 of 2019 in respect of the shares now detailed in application stood in the name of late Jai Prakash Agarwal. The applicants shall pay a court fee for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only), if not paid already, in the name of the Assistant Registrar (Original Side) of this Court. The applicants are further directed to file an inventory of assets and statement of accounts within a period of six months and one year, respectively.

07.09.2023

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R.N.MANJULA, J.

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