



O.P.No.323 of 2023

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N.SATHISH KUMAR.J.,

This Petition has been filed under Section 372 of the Indian Succession Act read with Order XXV Rule 6 of the Madras High Court Original Side Rules, to grant succession certificate in favour of the petitioner.

2. It is the case of the petitioner that Doss Manoharan Asirvatham died on 01.03.2013 at this residence at Flat No.F1, First Floor, Dreams Village, 15/11, Aspiran Garden 1st Street, Kilpauk, Chennai 600 010. The deceased was ordinarily residing at the above said address at Kilpauk in Chennai. The parents of the deceased predeceased him. The deceased died leaving behind Sarojini Asirvatham (wife), petitioner (daughter) and respondents 1 and 2 (daughters). Hannah Ravindranath another daughter of the deceased had predeceased him leaving behind her the respondents 3 to 5 as her surviving legal heirs. The mother of the petitioner also died on 19.07.2015. Thus, the petitioner and the respondents 1 and 2 are only surviving legal heirs of the deceased Doss Manoharan Asirvatham. The respondents 3 to 5 are the legal heirs of the

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deceased sister of the petitioner. Thus the petitioner and the respondents 1 to 5 are entitled to succeed the securities described in the schedule to the petition.

The deceased died intestate and though due and diligent search has been made for a Will, none has been found. The succession certificate is required for the purpose of transferring the securities (share certificates). The assets in respect of which the succession certificate is required are of the value of Rs.10,83,616.20 paise. The respondents 1 to 5 have given their consent to collect the securities and to receive interest, dividends thereon and negotiate and transfer the securities in the name of the petitioner. No application for a succession certificate in respect of any debt or security belonging to the estate of the said deceased has been made to any District Court or delegate or to any High Court. Hence, the petitioner has approached this Court for grant of succession certificate in her name with power to collect the securities and to receive interest, dividends thereon and negotiate and transfer the securities in her name.

3.The petitioner examined herself as P.W.1 and marked Exs.P1 to P14. Ex.P.1 is the computer generated death certificate of the deceased Doss Manoharan Asirvatham. Ex.P.2 is the computer generated death certificate of



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late Sarojini Asirvatham. Ex.P.3 is the computer generated death certificate of Hannah Ravindranath. Ex.P.4 is the photocopy of the legal heirship certificate of the deceased. Ex.P.5 is the photocopy of the legal heirship certificate of late Hannah Ravindranath. Ex.P.6 is the photocopy of the family card of the deceased. Ex.P.7 is the photocopy of the Aadhaar Card of the petitioner. Ex.P.8 is the photocopy of the Aadhaar Card and PAN Card of the 1st respondent. Ex.P.9 is the photocopy of Aadhaar Card and PAN Card of the 2nd respondent. Ex.P.10 is the photocopy of Aadhaar Card of the 3rd respondent. Ex.P.11 is the photocopy of Aadhaar Card of the 4th respondent. Ex.P.12 is the photocopy of the Aadhaar Card of the 5th respondent. Ex.P.13 is the family tree of the deceased. Ex.P.14 (series – 5 Nos.) is the photocopy of the share certificates of M/s.Sun Pharmaceutical Industries Limited held by the deceased.

4. Considering the averments made in the petition and the documents filed by the petitioner, I am satisfied that the petitioner and the respondents have succeeded the Estate of the deceased Doss Manoharan Asirvatham. Therefore, the petition is ordered as prayed for and a direction for grant of Succession Certificate to the petitioner with power to collect the securities and to receive interest,



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dividends thereon and negotiate and transfer the securities specified in the schedule in her name is issued. The petitioner is directed to render account once in a year.

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