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Application No.3838 of 2023
in OP.No.125 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

RESERVED ON : 18.08.2023

PRONOUNCED ON : 29.08.2023

CORAM

THE HONOURABLE Ms. JUSTICE R.N.MANJULA

Application No.3838 of 2023
in O.P.No.125 of 2020

Savithri Ananthakrishnan

... Petitioner/ Petitioner

Vs.

1.A.Srilakshmi

2.Srividhya Sainathan

... Respondents / Respondents

PRAYER: Application filed under Order XIV Rule 8 of O.S. Rules read with Section 376 of the Indian Succession Act praying to extend the succession certificate granted by order dated 01.10.2021 made in OP.NO.125 of 2020 from 600 shares to 14,400 shares (7200 +7200 – Bonus shares).

For Applicant : Mr.K.Jayaganga

For Respondents : Mr.S.Velumurugan for R2
No appearance for R1

ORDER

This application has been filed to extend the succession certificate granted by order dated 01.10.2021 made in OP.No.125 of 2020 to 14,400 shares.



2. In the original petition, it is submitted by the learned counsel for the applicant that the deceased C.T. Ananthakrishnan held 14,400 shares in Indian Oil Corporation; but due to clerical error the deceased mentioned 600 shares instead of 14,400 shares.

3. The difference between what was earlier stated in the schedule and now is very large. The Paper Publication has been effected only in respect of 600 shares.

4. However the additional proof affidavit and additional documents have been marked by the applicant Ex.A1 to A3. Ex.A1 is the photocopy of the share certificate of Indian Oil Corporation Limited bearing certificate No.2723953 which stands in the name of Mr.C.T. Ananthakrishnan along with bonus share certificate dated 19.03.2018. Ex.A2 is the consent affidavit given by the first respondent. Ex.A3 is the consent affidavit given by the second respondent.

5. 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 14400 shares as detailed in the application.

6. The applicant is the wife of late C.T. Ananthakrishnan. She is aged



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about 79 years. In the Original Petition apart from the petitioner her two daughters have been impleaded as respondents and the respondents have given consent to grant succession certificate in favour of the mother who is the petitioner herein.

7. The legal heir certificate has been marked originally as Ex.P4 and the court had already confirmed that the petitioner and the respondents are the only legal heirs of late C.T.Ananthakrishnan. The learned counsel for the petitioner submitted that the shares now mentioned could not be included due to oversight and hence the succession certificate originally already granted should be extended covering the shares now mentioned.

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

9. Accordingly, this application is **allowed** by extending the succession certificate already granted to the petitioner in OP.No.125 of 2020 in respect of the shares now detailed in petition stood in the name of late C.T.Ananthakrishnan. The petitioner shall pay a court fee for a sum of



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R.N.MANJULA, J.,

jrs

Rs.25,000/- (Rupees Twenty Five Thousand only) in the name of the
Registrar General of this Court, if any.

29.08.2023

jrs

Index : Yes
Speaking Order : Yes
Internet : Yes
Neutral : Yes

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