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O.P.No.751 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.07.2023

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

O.P.No.751 of 2022

1. Nalini Parthasarathy
2. Prasanth Parthasarathy
3. Pavithra Renganath

... Petitioners

Original Petition is filed under Section 372 of the Indian Succession Act, 1925 (Act XXIX of 1925) read with Order XXV Rule 6 of the Original Side Rules, to grant Succession Certificate to the petitioners with power to collect the securities and receive the interest and dividends thereon, negotiate and transfer the securities specified in the Schedule thereto.

For Petitioners : Mr.Arun Anbumani

ORDER

The petition has been filed under Section 372 of the Indian Succession Act, 1925 (Act XXIX of 1925) read with Order XXV Rule 6 of the Original Side Rules, to grant Succession Certificate to the petitioners with the power to collect securities and receive the interest and dividends thereon, negotiate and transfer the securities specified in the Schedule thereto



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

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The petition mentioned securities were owned by one Parthasarathy Vankeepuram Narasimhan. The first petitioner is the wife and the second and third petitioners are the son and daughter of late Parthasarathy Vankeepuram Narasimhan. The husband of the first petitioner died on 03.10.2020 leaving behind the petitioners as his sole legal heirs. Since Parthasarathy Vankeepuram Narasimhan died intestate, the petitioners, as his legal heirs, are entitled to inherit the securities stood in favour of the deceased and they have filed this petition for grant of succession certificate.

3. News paper publication effected. No objectors.

4. The third petitioner examined herself as PW.1 and the following exhibits were marked:

<i>Exhibits</i>	<i>Documents</i>
P1	Computer generated death certificate of Mr.Parthasarathy Venkeepuram Narasimhan
P2	Computer generated legal heir certificate of Mr.Parthasarathy Venkeepuram Narasimhan
P3	Photocopy of the share certificate of TVS Motor Company Limited bearing certificate No.011148 standing in the name of Mr.Parthasarathy V.N. (compared with original)
P4	Photocopy of the share certificate of TVS Motor Company Limited bearing certificate No.17835 standing in the name of



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<i>Exhibits</i>	<i>Documents</i>
	Mr.Parthasarathy V.N. (compared with original)
P5	Print out taken through online on 25.08.2022 showing the value of one share as Rs.949.10 as on date.
P6	Copy of paper publication effected in one issue of Tamil daily "Maalai Murasu" dated 13.03.2023.

5. Ex.P1 is the death certificate of Parthasarathy Vankeepuram Narasimhan who died on 03.10.2021 and legal heirship certificate of the deceased is marked as Ex.P2 and that would show that the petitioners alone are the legal heirs of the deceased. Ex.P3 and Ex.P4 are the securities owned by the late Parthasarathy Vankeepuram Narasimhan.

6. Since the deceased died intestate, the petitioners who are the legal heirs have got the right to inherit the securities mentioned in the schedule equally among themselves. The oral and documentary evidence produced by the petitioners would prove their entitlement for the grant of Succession Certificate.

7.Hence:

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



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(b) The Succession Certificate shall be issued in favour of the petitioners, 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 already.

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Index :Yes/No



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APPENDIX

Witness Examined:

P.W.1 – Mrs.Pavithra Renganath

Documents marked:

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