



WEB COPY



O.P.No. 68 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **05.07.2023**

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

O.P.No. 68 of 2023

In the matter of the Indian Succession
Act XXXIX of 1925; and
In the matter of certain
debts belonging to
Mr.A.Maruthakasi (deceased)
Intestate.

1.E.Vasanth
2.E.Bairavi
3.E.Mohan Murali
4.E.Mathankumar
5.E.Sneha
6.N.Mullaiyankothai
7.M.Ramadoss
8.M.Ponmudi
9.G.Rohini
10.M.Mathivanan
11.M.Krishnamurthy
12.M.Bharani
13.N.Navamani

...

Petitioners

PRAYER: Original Petition filed for Succession Certificate under Section 372 of Indian Succession Act, 1925 under Order XXV Rule 6 of Original Side Rules, prays that a Succession Certificate may be granted to the petitioners with power to collect the debts being the royalty amount accrued and to receive the interest and dividends on and negotiate and transfer the



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securities specified in the schedule hereto.

For Petitioners : M/S.P.Ravichandran

ORDER

This petition is filed for issuance of succession certificate to the petitioners in respect of the securities of the deceased Late A.Maruthakasi more particularly described in the schedule to the petition.

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

The deceased A./Maruthakasi was an Indian poet and film lyricist who wrote mainly in the Tamil language. The deceased has been a member of the Indian Performing Rights Society Limited since 1980. The petitioners, as daughter-in-law, grand children, sons, and daughters of the deceased, respectively. They are entitled to get their respective shares in the estate of the deceased, which is the accrued royalty amount due to the poet. For the purpose of transmitting the securities mentioned in the schedule in the names of the petitioners, the petition has been filed. Hence, the petitioners have prayed for the grant of a Succession Certificate to them in respect of the securities of the deceased Late Mr.A.Maruthakasi, more particularly described in the schedule to the petition.

3. Newspaper publication has been effected. There is no objector.



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4. The petitioner was examined as P.W.1 and Exs.P-1 to P7 were marked.

5. Ex.P1 is the original death certificate of the deceased Maruthakasi who died on 29.11.1989. Ex. P2 is the original death certificate of the deceased wife Dhanakodi. Ex.P3 is the photocopy of the legal heir certificate of Maruthaksi. Ex. P4 is the photocopy of the death certificate of Elangovan. Ex. P5 is the original legal heir certificate of Elangovan in respect of the petitioner. Ex. P6 is the photocopy of the certificate issued by Indian performing right society limited. Ex. P7 is the affidavit of service.

6. The above oral and documentary evidence produced by the petitioners would prove their entitlement for the grant of Succession Certificate as prayed by them.

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 with interest and dividends on and negotiate and transfer the securities specified in the schedule to the petition, on payment of appropriate succession duty, if not paid earlier.

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