



O.P.No.617 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **13.02.2023**

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THE HONOURABLE **MR.JUSTICE SENTHILKUMAR RAMAMOORTHY**

O.P.No.617 of 2022

1.Mrs.Raji Ramanan
2.Mrs.Divya Visalakshi

... Petitioners

PRAYER: Original Petition filed under Section 372 of Indian Succession Act, 1925 under Order XXV Rule 6 of Original Side Rules in respect of certain securities/debts belonging to the deceased Mr.Peruvenmba Venkatakrishnan Harihara Ramanan, under Part X of the Indian Succession Act, prays that a Succession Certificate may be granted to the first petitioner with power to collect the debts and securities and to receive the interest and dividends thereon and negotiate and transfer the securities specified in the schedule hereto.

For Petitioners : Mr.S.Raja Ravivarma
for Mr.R.Subramanian



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ORDER

The petitioners seek the issuance of a succession certificate to the first petitioner in respect of the securities and debts listed in the schedule to the petition.

2. The petitioners assert that the first petitioner is the wife of the late Mr.Peruvenmba Venkatakrishnan Harihara Ramanan and the second petitioner is his daughter. The petitioners state that he died intestate on 30.08.2020 in Wellington, New Zealand. In spite of undertaking a diligent search, it is stated that no Will was found. Learned counsel for the petitioners submits, on instructions, that the mother of the deceased pre-deceased him and, therefore, the petitioners are the only surviving legal heirs.

3. In order to establish entitlement to the relief claimed, the petitioners adduced evidence by examining the first petitioner as P.W.1. In course of the examination in chief of P.W.1, the 21 documents listed at the foot of this order were exhibited as Exs.P1 to P21. The death certificate of



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the first petitioner's husband(Ex.P1) discloses that he died on 30.08.2020.

The legal heirship certificate (Ex.P2) is duly notarized and apostilled. An affidavit affirmed by the first petitioner is enclosed. In the said affidavit, the first petitioner has stated that she and her daughter are the only surviving legal heirs.

4. As evidence of the entitlement of the deceased to the securities and debts described in the schedule, Exs.P3 to P19 have been placed on record. The second petitioner has consented to the grant of succession certificate to the first petitioner(Ex.P21). Paper publication was effected (Ex.P20).

5. Although the deceased died at Wellington, New Zealand, it is stated in paragraph 4 of the petition that his place of ordinary residence was at R.A. Puram, Chennai, which is within the jurisdiction of this Court.

6. Based on the assertions in the petition and the evidence adduced in support thereof, the petitioners are entitled to the relief claimed. Hence, O.P.No.617 of 2022 is allowed by granting a succession certificate to the



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first petitioner in respect of the securities and debts described in the schedule to the petition. Consequently, the first petitioner is entitled to collect the securities, receive interest or dividends thereon and negotiate and transfer the same.

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Index : Yes / No

Internet : Yes / No

Petitioner's witness:

P.W.1 - Mrs.Raji Ramanan

Documents exhibited by the petitioners:

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Photocopy of the death certificate of late Mr.Peruvenmba Venkatakrishnan Harihara Ramanan.
Ex.P2	Photocopy of the affidavit dated 20.07.2022.
Ex.P3	Computer generated printout of statement of holding dated 15.08.2022, issued by Stock Holding Corporation of India Limited bearing Client ID No.13414476 in respect of shares and securities held by P.V.H.Ramanan
Ex.P4	Photocopy of accounts summary issued to Franklin Templeton in respect of mutual fund held by P.V.H.Ramanan, bearing Folio No.14073921



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<i>Exhibits</i>	<i>Documents</i>
Ex.P5	Photocopy of Accounts statement dated 01.10.2007 in respect of mutual fund account held by P.V.H.Ramanan issued by HDFC Mutual Fund bearing Folio No.82832/18
Ex.P6	Photocopies of share certificates issued by Unit Trust of India standing in the name of PVH Ramanan
Ex.P7	Photocopy of share certificate issued by Industrial Development Bank of India standing in the name of PVH Ramanan.
Ex.P8	Photocopies of share certificates issued by ICICI Limited standing in the name of PVH Ramanan.
Ex.P9	Photocopies of share certificates issued by Capital Trust Limited standing in the name of PVH Ramanan
Ex.P10	Photocopies of account statement issued by Birla Sun Lite Mutual Fund dated 19.03.2004 bearing Folio No.1006934094 in respect of mutual fund account held by PVH Ramanan,
Ex.P11	Photocopy of the letter dated 11.09.1992 in respect of allotment of shares issued by Tata Iron and Steel Company Limited standing in the name of PVH Ramanan.
Ex.P12	Photocopies of shares certificate issued by the Tata Iron and Steel Company Limited in respect of share standing in the name of PVH Ramanan.
Ex.P13	Photocopy of letter dated 29.02.1984 issued by Dunlop India Limited in respect of allotment of share standing in the name of PVH Ramanan.
Ex.P14	Photocopy of the share certificate issued by Dunlop India Limited in respect of share standing in the name of PVH Ramanan.
Ex.P15	Photocopy of letter dated 20.10.1983 issued by Dunlop India Limited in respect of allotment of shares standing in the name of PVH Ramanan.



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<i>Exhibits</i>	<i>Documents</i>
Ex.P16	Photocopy of the share certificate issued by Dunlop India Limited in respect of shares standing in the name of PVH Ramanan.
Ex.P17	Photocopy of the share certificate issued by Industrial Finance Corporation of India Limited standing in the name of PVH Ramanan.
Ex.P18	Computer generated printout of statement of account for the period 22.12.2016 to 04.08.2022 in respect of account standing in the name of PVH Ramanan bearing account No.08140100007467 issued by Bank of Baroda, R.K. Nagar Branch, Chennai.
Ex.P19	Photocopies of account passbook bearing Account No. 08140100007425 standing in the name of PVH Ramanan and P.S.Venkatakrisnan
Ex.P20	Paper publication effected in Tamil daily dated 19.12.2022.
Ex.P21	Consent affidavit of the second petitioner.

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