



O.P.No. 136 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **25.07.2023**

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

O.P.No. 136 of 2023

R.Revathy

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Petitioner

PRAYER: Original Petition filed for Succession Certificate under Section 372 of the Indian Succession Act 1925 read with Order XXV Rule 6 of Original Side Rules, prays that a Succession Certificate may be granted to the petitioner with power to collect the securities and to receive the interest and dividends thereon and negotiate and transfer the securities specified in the schedule hereto.

For Petitioner

: M/s.T.K.S.Bharathy Shri

ORDER

This Petition has been filed under Section 372 of the Indian Succession Act for grant of Succession Certificate for the Scheduled mentioned securities owned by the husband of the petitioner by name R.Sankara Subramani.

2. The said R.Sankara Subramani died intestate on 11.12.2009. The petitioner is the only legal heir of the deceased Sankara Subramani and the couples did not have any issues on their own. The parents of the Sankara



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Subramani has also predeceased to him. The deceased Sankara Subramani had no other siblings also. The petitioner being the only legal heir of Sankara Subramani and hence, she is entitled to inherit the securities of the Sankara Subramani.

3. The petitioner is examined herself as PW.1 and the following documents were marked through her and they are listed as hereunder:

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	The original death certificate of R.Sankara Subramani dated 11.12.2009
Ex.P2	The original legal heirship certificate of R.Sankara Subramani dated 09.06.2010
Ex.P3	The photocopy of the death certificate of R.Radha dated 15.11.2015
Ex.P4	The original letter form way 2 way wealth brokers private limited regarding transmission of shares dated 30.07.2021
Ex.P5	The photocopy of the Aadhar card of petitioner. (compared with original)
Ex.P6	The paper publication of Tamil Daily 'Makkal Kural' dated 21.04.2023.

4. The death certificate of R.Sankara Subramani is produced as Ex.P1 and it is seen that he died on 11.12.2009. The legal heir certificate is produced as Ex.P2 and that would show that the petitioner is the only surviving legal heir of the deceased R.Sankara Subramani. The mother of the deceased died on 15.11.2015 and the death certificate is produced as Ex.P3.



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The paper publication effected in one issue of Tamil daily in Makkal Kural dated 21.04.2023 did not attract any objectors.

5. Since the said R.Sankara Subramani died intestate, the petitioner as his only surviving legal heir is entitled to inherit the securities and hence the prayer sought by the petitioner for grant of Succession Certificate should be allowed.

6. Hence:

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

(b) The Succession Certificate shall be issued in favour of the petitioner with a power to collect the debts with interest and dividends on and negotiate and transfer the securities (shares) specified in the schedule to the petition on payment of appropriate succession duty, if it not paid already.

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jrs

Index :Yes/No



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