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O.P.No.122 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.08.2023

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THE HONOURABLE MS.JUSTICE R.N.MANJULA

O.P.No.122 of 2023

1. S.H.Lata
 2. S.H.Sunny (aka) S.H.Hanumanth Rai
 3. S.H.Krishna
- ... Petitioners

Original Petition is filed under Section 372 of Indian Succession Act, 1925 r/w. Order XXV Rule 6 of the Madras High Court Original Side Rules, to grant succession certificate in favour of the petitioners with the power to collect the debts, securities and to receive the interest, dividends on and negotiate and transfer the securities specified in the schedule hereto.

For Petitioners : Mr.V.Sundarraman

ORDER

This petition is filed under section 372 of the Indian Succession Act, 1925 r/w. Order XXV Rule 6 of the Madras High Court Original Side Rules, seeking issuance of Succession Certificate to the petitioners with the power to collect the debts, securities and to receive the interest, dividends thereon and negotiate and transfer the securities specified in the schedule hereto.

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



O.P.No.122 of 2023

The petition mentioned movable assets like securities and PPF were owned by one Subash T Hingorani. The said Subash T Hingorani died intestate on 24.02.2016. The first petitioner is the wife and the second and third petitioners are the sons of deceased Subash T Hingorani. After the demise of Subash T Hingorani, the petitioners, as his legal heirs, are entitled to inherit the petition mentioned assets.

3. The first petitioner examined herself as P.W.1 and marked Exs.P1 to P6.

4. Ex.P1 is the death certificate of Subash T Hingorani. The legal heirship certificate of Subash T Hingorani which is marked as Ex.P2 would show that the petitioners are his only legal heirs. Ex.P3 is the share holding details of Subash T Hingorani. Ex.P5 is the statement of accounts of PPF account held by Subash T Hingorani.

5. Paper publication issued in one issue of Tamily daily “Makkal Kural” dated 20.06.2023 did not attract any objectors.

6. Since the deceased died intestate, the petitioners who are his legal



O.P.No.122 of 2023

heirs have got the right to inherit the petition mentioned assets equally among themselves. The above documentary evidence produced by the petitioners would prove their entitlement for the grant of Succession Certificate as prayed.

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 and to receive the interest specified in the schedule equally among themselves on payment of appropriate succession duty, if it not paid already.

07.08.2023

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O.P.No.122 of 2023

Witnesses examined:

P.W.1 – S.H.Lata

Documents marked :

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Computer generated death certificate of Subash T Hingorani
Ex.P2	Legal heirship certificate of Subash T.Hingorani
Ex.P3	Photocopy of the share holdings details dated 12.08.2022 issued by Integrated Corporate Solutions Simplified in respect of the share held by Subash T.Hingorani.
Ex.P4	Photocopy of the certificate dated 11.07.2022 issued by KFINTECH in respect of the shares held by Subash T.Hingorani
Ex.P5	Computer generated SBI Accounts Statement from 10.02.2021 to 09.02.2022 in respect of the account held by Subash T.Hingorani
Ex.P6	Copy of paper publication effected in one issue of Tamil daily “Makkal Kural” dated 20.06.2023.

07.08.2023

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WEB COPY



O.P.No.122 of 2023

R.N.MANJULA, J.

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O.P.No. 122 of 2023

07.08.2023