



O.P.No.326 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.01.2023

CORAM

THE HONOURABLE **MR.JUSTICE SENTHILKUMAR RAMAMOORTHY**

O.P.No.326 of 2022

1.K.Valliappan
2.K.Visalam
3.Bhuvana Mena Senthil

... Petitioners

PRAYER: Original Petition filed 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 first 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 hereunder.

For Petitioners : Mr.T.K.S.Bharathy Shri



O.P.No.326 of 2022

ORDER

WEB COPY

The petitioners seek the issuance of a succession certificate in respect of the securities listed in the schedule to this petition. The second petitioner is the wife of the deceased, Kasi Meyyappan, and the first and third petitioners are his son and daughter, respectively.

2. The petitioners assert that the late Kasi Meyyappan, who resided at the address specified in paragraph 3 of the petition, which is within the jurisdiction of this Court, died on 14.07.2020. The petitioners assert that he died intestate and that no Will was found in spite of a diligent search for the same. On the basis that the petitioners are the only class I legal heirs of the deceased, the present petition is filed.

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 13 documents listed at the foot of this order were exhibited as Exs.P1 to P13. The death certificate of



O.P.No.326 of 2022

the late Mr.S.P.Kasi Meyyappan (Ex.P1) discloses that he died on 14.07.2020. The legal heirship certificate of the late Kasi Meyyappan discloses the names of the three petitioners as the only surviving class I legal heirs. It further discloses the name of the mother of the deceased Alagammai, and that she pre-deceased him. Documents evidencing that the deceased held securities in various companies are on record as Exs.P4 to P10. The consent affidavits of the second and third petitioners are on record as Exs.P11 and P12. Paper publication was effected (Ex.P13).

4. Based on the assertions in the petition and the evidence recorded in support thereof, there is no impediment under the Indian Succession Act or in any other law for the grant of a succession certificate as prayed for.

5. Accordingly, O.P.No.326 of 2022 is allowed by granting the succession certificate to the first petitioner in respect of the securities specified in the schedule to the petition. Consequently, the first petitioner



O.P.No.326 of 2022

shall be entitled to collect the securities, receive interest and dividends thereon and transfer the securities specified in the schedule.

09.01.2023

rna

Index : Yes / No

Internet : Yes / No

Petitioner's witness:

P.W.1 - Mrs.K.Sathya

Documents exhibited by the petitioners:

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Computer generated death certificate of Mr.S.P.Kasimeyyappan.
Ex.P2	Computer generated Legal Heirship Certificate of Mr.S.P.Kasimeyyappan.
Ex.P3	Photocopy of my Aadhaar card (Compared with the original).
Ex.P4	Photocopy of the share certificate of Larsen & Toubro Limited bearing certificate No.1374156 standing in the name of Mr.S.P.Kasi Meyyappan (Compared with the original).
Ex.P5	Photocopy of the share certificate of Hindalco Industries Limited bearing certificate No.H/S029462 standing in the name of Mr.S.P.Kasi Meyyappan (Compared with the original).
Ex.P6	Photocopy of the share certificate of Hindalco Industries Limited bearing certificate No.HR004365 standing in the name of Mr.S.P.Kasi Meyyappan (Compared with the original).
Ex.P7	Photocopy of the share certificate of Tamilnadu Petroproducts



O.P.No.326 of 2022

<i>Exhibits</i>	<i>Documents</i>
	Limited bearing certificate No.243436 standing in the name of Mr.S.P.Kasi Meyyappan (Compared with the original).
Ex.P8	Photocopy of the share certificate of Tamilnadu Petroproducts Limited bearing certificate No.47823 standing in the name of Mr.S.P.Kasi Meyyappan (Compared with the original).
Ex.P9	Photocopy of the share certificate of Tamilnadu Petroproducts Limited bearing certificate No.47824 standing in the name of Mr.S.P.Kasi Meyyappan (Compared with the original).
Ex.P10	Photocopy of the statement of holding as on 28.01.2022 in respect of the shares held by Mr.S.P.Kasi Meyyappan (Compared with the original).
Ex.P11	Consent affidavit given by the second petitioner.
Ex.P12	Consent affidavit given by the third petitioner.
Ex.P13	Copy of paper publication effected in one issue of Tamil daily "Dina Paarvai" dated 03.09.2022.



WEB COPY



O.P.No.326 of 2022

SENTHILKUMAR RAMAMOORTHY,J

rna

O.P.No.326 of 2022

09.01.2023