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O.P.No.726 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **01.06.2023**

CORAM

THE HONOURABLE **MR.JUSTICE K.KUMARESH BABU**
O.P.No.726 of 2021

1.V.Srikanth
2.V.Ramachandran
3.Smt.Dayabalu
4.Smt.V.Subha ... Petitioners

PRAYER: Original Petition filed for Succession Certificate under Section 372 of the Indian Succession Act, 1925 and 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 securities and to receive interest, dividends thereon and negotiate and transfer the securities in the schedules herein.

For Petitioner : Mr.N.Anbazhagan

ORDER

The petitioners seek Succession Certificate in respect of the securities held by S.Venkataraman and Chitra Venkataraman, who died intestate on 07.11.2009 and 17.02.2018 respectively. The first and second petitioners are the sons, third and fourth petitioners are the daughters of the deceased



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S.Venkataraman and Chitra Venkataraman.

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2. The first petitioner has been examined as P.W.1. He has produced the death certificates of the deceased S.Venkataraman and Chitra Venkataraman, as Exs.P4 and P3. The legal heirship certificates of the deceased S.Venkataraman and Chitra Venkataraman is produced as, Exs.P5 and P12. A perusal of Exs.P5 and P12 shows that the petitioners are the only Class-I legal heirs of the deceased S.Venkataraman and Chitra Venkataraman. The petitioners two to four have filed their consent affidavits expressing their no objection for grant of Succession Certificate in favour of the first petitioner. The said consent affidavits have been marked as Exs.P9 to P11. A paper publication has been made and any objections have not been received.

3. In view of the above evidence, the Original Petition is allowed granting Succession Certificate in favour of the first petitioner, since the petitioners two to four have signified their consent for the grant, in respect of the securities mentioned in the schedule to the petition.

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Index :Yes/No

Speaking: Yes/ No

Neutral Citation: Yes/No

Petitioners' witness:

P.W.1 — Mr.V.Srikanth

Documents exhibited by the petitioners:

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Photocopy of the depositary statement of the shares held in TATA Steel Ltd issued by TSR Darashaw Ltd standing in the name of S.Venkataraman (Witness states that the original depositary statement has been misplaced and could not able to trace and the same has been stated in the proof affidavit. This document is marked subject to its admissibility, proof and relevancy).
Ex.P2	Photocopy of the depositary statement of the shares held in TATA Coffee Ltd issued by TSR Darashaw Ltd standing in the name of S.Venkataraman (Witness states that the original depositary statement has been misplaced and could not able to trace and the same has been stated in the proof affidavit. This document is marked subject to its admissibility, proof and relevancy).
Ex.P3	Computer generated death certificate of Chitra Venkatraman
Ex.P4	Computer generated death certificate of S.Venkatraman
Ex.P5	Photocopy of the legal heirs certificate of Mr.S.Venkatraman
Ex.P6	Certified copy of the Will dated 05.04.1985 executed by Mr.K.Chandrasekharan (The original Will has been filed before this Court in O.P.No.261 of 1989)
Ex.P7	Photocopy of the order dated 28.03.1990 passed in



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<i>Exhibits</i>	<i>Documents</i>
	O.P.No.261 of 1989
Ex.P8	Copy of paper publication effected in one issue of Tamil daily "Makkal Kural" dated 01.02.2022
Ex.P9	Consent affidavit given by the second petitioner
Ex.P10	Consent affidavit given by the third petitioner
Ex.P11	Consent affidavit given by the fourth petitioner
Ex.P.12	Computer generated legal heir certificate of Mrs.Chitra Venkataraman

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