



C.R.P.(MD)No.2823 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.11.2023

CORAM:

THE HON'BLE MRS.JUSTICE S.SRIMATHY

C.R.P.(MD)No.2823 of 2023

1. K.Nagarathinam

2. K.Aquino

... Petitioners/
Petitioners

Vs.

The Authorised Signatory,
Coimbatore Capital Limited,
Stock Exchange Building,
696, Trichy Road,
Coimbatore – 641 005.

... Respondent/
Respondent

Prayer : This Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the docket order dated 19.09.2023 in unnumbered SOP of 2023 on the file of the learned Principal District Judge, Virudhunagar District at Srivilliputhur and consequently direct the learned Principal District Judge to number the SOP and taken on file.

For Petitioners : Mr.C.Lakshmanan



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ORDER

The Civil Revision Petition has been filed against the docket order dated 19.09.2023 passed in unnumbered Succession Original Petition on the file of the Principal District Court, Virudhunagar District at Srivilliputhur.

2. The contention of the petitioners is that the first petitioner's husband was having shares and in order to transfer the share in the name of the wife and the daughter, the petitioners had approached the respondent/Authorised Signatory of Coimbatore Capital Limited, Stock Exchange Building, to transfer the same. The respondent sought for certain documents like death certificate, succession certificate, etc., Hence, the petitioners had approached the learned Principal District Judge to issue succession certificate. In order to number the same, the learned Principal District Judge has returned the papers directing to produce the original share certificate. The contention of the petitioners is that there is no physical share certificate, which will not be issued. It is only Demat Account, for which, the petitioners have produced the Demat Account



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Number along with the computer extract. Based on that, the petitioners are claiming to transfer the shares through the Demat Account, since the physical issuance of share certificates has been stopped. Hence, the learned Principal District Judge cannot insist the petitioners to produce the original share certificate.

3. Considering the above, the petitioners are directed to re-present the petition along with the Demat Account and on such representation, the learned Principal District Judge, Virudhunagar District at Srivilliputhur, is directed to take the petition on file, if it is otherwise in order.

4. In the result, this Civil Revision Petition is allowed. No costs.

03.11.2023

NCC :yes/No
Index :yes/No
Internet:yes/No
csm

Note : Registry is directed to return the original papers to the revision petitioner, after getting necessary acknowledgments.



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S.SRIMATHY, J.

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To

1. The Principal District Court,
Virudhunagar District at Srivilliputhur.
2. The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai

Order made in
C.R.P.(MD)No.2823 of 2023

Dated : 03.11.2023