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O.P.No.256 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.10.2024

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THE HONOURABLE MR.JUSTICE RMT.TEEKAA RAMAN

O.P.No.256 of 2024

1. Rukmani Rajagopalan

2. Rajagopalan Ramanujam

...

Petitioners

PRAYER: Original Petition filed under Section 372 of Indian Succession Act, 1925, read with Order XXV Rule 6 of Original Side Rules, praying to issue a Succession Certificate in favour of Rukmani Rajagopalan, the 1st petitioner herein for the shares in the Schedule mentioned Share Certificate with the power to collect the securities and to receive the interests and dividends and negotiate and transfer the securities / shares as specified in schedule.

For Petitioners : Mr.S.K.Sivasubramaniam

ORDER

This Original Petition filed under Section 372 of Indian Succession Act, 1925, read with Order XXV Rule 6 of Original Side Rules, praying to issue a Succession Certificate in favour of Rukmani Rajagopalan, the 1st petitioner herein for the shares in the Schedule mentioned with the power to collect the securities and to receive the interests and dividends and negotiate and transfer



the securities / shares as specified in schedule.

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2. It is submitted by the learned counsel for the petitioners that Mr.K.Rajagopalan died intestate on 20.05.2004, at his ordinary place of residence, No.19, Venkatesan Street, T.Nagar, Chennai 600 017 and left property specified in the schedule. He left behind his wife, Rukmani Rajagopalan and son, Rajagopalan Ramanujam, who are the petitioners herein and the legal heirs of the deceased. The parents of the deceased predeceased him.

3. The learned counsel for the petitioner further submitted that the deceased, Mr.K.Rajagopalan during his life time, held 646 shares of M/s.Linde Industries Limited formerly known as BOC India Ltd., as specified in the schedule. The value of the shares, for which the Succession Certificate is required, amounts to a total market value of Rs.37,79,100/- as on 09.12.2023. The learned counsel for the petitioner further added that Mr.Rajagopalan Ramanujam, the 2nd petitioner herein, have no objection and submitted consent affidavit for the succession certificate to be granted in favour of Mrs.Rukmani Rajagopalan, the 1st petitioner herein. Hence, it is prayed that the succession certificate be granted to the 1st petitioner herein.



4. After following due procedure, the petitioners were invited to tender evidence. The 1st petitioner, Mrs.Rukmani Rajagopalan examined herself as P.W.1 and marked Exs.P1 to P4. The 2nd petitioner has filed a consent affidavit and it is taken on record. Paper publication has been effected and the learned Master did not receive any objections.

5. In view of both oral and documentary evidences adduced before this Court, I find no impediment to grant succession certificate to the 1st petitioner.

6. Hence, this Original Petition stands allowed. The Succession Certificate may be issued in favour of the 1st petitioner in accordance with the rules, with the power to collect the securities and to receive the interests and dividends and negotiate and transfer the securities / shares as specified in schedule.

17.10.2024

Index :Yes/No
spp

**APPENDIX****Petitioner's witness:**

P.W.1 – Mrs.Rukmani Rajagopalan

Documents marked:

<i>S.No</i>	<i>Particulars</i>	<i>Exhibits</i>
1	Photocopy of the death certificate of K.Rajagopalan dated 09.06.2004 (Compared with original)	P1
2	Photocopy of the Legal heir certificate of K.Rajagopalam dated 16.08.2004 (Compared with original)	P2
3	Printout of the email from the company to the petitioner dated 17.11.2023 (2 copies of mails attached). (Section 63(4) of Bharatiya Sakshya Adhiniyam certificate filed)	P3
4	Paper publication one issue of Tamil Daily "Malai Murasu" dated 06.07.2024	P4

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