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O.P.No.342 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.12.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

O.P.No.342 of 2024

1. B.Anuradha
D/o.Late T.G.Srinivasan Pillai
@ T.Srinivasan Pillai
 2. T.S.Dwarakanathan
S/o.Late T.G.Srinivasan Pillai
@ T.Srinivasan Pillai
 3. K.Mala
D/o.Late T.G.Srinivasan Pillai
@ T.Srinivasan Pillai
 4. K.Saraladevi @ Saraladevi R
D/o.Late T.G.Srinivasan Pillai
@ T.Srinivasan Pillai
 5. J.Dhanalakshmi,
D/o.Late T.G.Srinivasan Pillai
@ T.Srinivasan Pillai
- ... Petitioners

Prayer: Original Petition has been filed under Sections 372 of Indian Succession Act, 1925 r/w Order XXV Rules 6 of Original Side Rules, to issue a Succession Certificate in favour of the T.S.Dwarakanathan, the 2nd petitioner herein for the shares in the scheduled 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 hereunder.

For Petitioners : Mr.S.K.Sivasubramaniam

ORDER



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WEB COPY This Original Petition has been filed under Section 372 of Indian Succession Act r/w XXV Rule 6 of Original Side Rules for issuance of succession certificate to the 2nd petitioner in respect of the securities left behind by late Late T.G.Srinivasan Pillai @ T.Srinivasan Pillai.

2. The petitioners are daughters and son of the deceased Late T.G.Srinivasan Pillai @ T.Srinivasan Pillai. During his life time, the said Srinivasan Pillai has acquired shares from the company Ashok Leyland Limited under the following two portfolios:

Folio No	Name of the Company	Name of the Shareholder	Certificate.No	Distinctive.Nos.	Shares
3787	M/s.Ashok Leyland Ltd.	T.Srinivasan Pillai	35401	2646309495- 2646311004	1510
			3787	447107931- 2646311004	1510

3. The said T.G.Srinivasan Pillai @ T.Srinivasan Pillai has not left any Will in respect of the properties and died intestate on 23.07.2009 leaving behind his wife, a son and four daughters. His wife Ranga Nayaki died on 21.11.2016. Thus, the petitioners 1 to 5 are the legalheirs to succeed the estate of T.G.Srinivasan Pillai @ T.Srinivasan Pillai. The present petition is filed for issuance of Succession Certificate in respect of the securities morefully described in the schedule to and in favour of the second petitioner T.S.Dwarakanathan, who is the only son of the



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deceased T.G.Srinivasan Pillai @ T.Srinivasan Pillai. The other petitioners herein who are the daughters of the deceased have consented for grant of Succession Certificate in favour of the second petitioner.

4. To prove his claim, the second petitioner has filed proof affidavit and graced the witness box and examined as P.W.1 and marked the following 7 documents as Exs:P.1 to P.7

<i>Exhibits</i>	<i>Documents</i>
Ex.P.1	Computer generated death certificate of Mr.T.G.Srinivasan Pillai
Ex.P.2	Photocopy of the legal heir certificate of Mr.T.G.Srinivasan Pillai
Ex.P.3	Computer generated death certificate of Mrs.T.Ranganayaki
Ex.P.4	Photocopy of the letter dated 20.11.2023 from Integrated Registry Management Services Private Limited addressed to The 2 nd petitioner asking for succession certificate from competent court of law
Ex.P.5	The Certificate under Section 65B of the Indian Evidence Act, 1872
Ex.P.6	Photocopy of the second petitioner's Aadhaar Card
Ex.P.7	The Copy of the Paper Publication effected in one issue of Tamil Daily " Malai Murasu " dated 29.08.2024

5. The communication from the company namely Ashok Leyland Private Limited dated 20.11.2023 which is marked as Ex.P.4 reveals that the deceased T.G.Srinivasan Pillai @ T.Srinivasan Pillai is having totally 3020 shares under two portfolios and the said company has directed the second petitioner herein to obtain Succession Certificate/Probate of



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Will/Letters of Administration/Court decree issued by the Competent Authority for transfer of the shares. It is also directed by the company that as per Section 124 (6) of Companies Act 2016, the shares had been transferred in the name of IEBF authority, since for seven consecutive years, dividend was not claimed by the shareholders.

6. Taking note of the above fact and the consent given by the other legalheirs of T.G.Srinivasan Pillai @ T.Srinivasan Pillai were also party to the proceedings as the petitioners 1, 3 to 5. This Court is satisfied that the second petitioner T.S.Dwarakanathan is entitled for the Succession Certificate in respect of the securities left behind by late Late T.G.Srinivasan Pillai @ T.Srinivasan Pillai.

7. Accordingly, this Original Petition stands allowed. The Succession Certificate is issued in favour of the second petitioner T.S.Dwarakanathan in respect of the scheduled mentioned shares 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.

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APPENDIX



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Petitioner's witness:

P.W.1 – Mr. T.S.Dwarakanathan

Documents marked:

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