



O.P.No.340 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

Reserved on : 07.11.2024

Pronounced on: 11.11.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Original Petition No.340 of 2024

1. T.Bhooma.
2. S.A.T.Shrineevasan @
Srimadi Athangi Thirumalacharyulu Shrineevasan

... Petitioners

PRAYER: Original Petition has been filed under Section 372 of the Indian Succession Act r/w Order XXV Rule VI of Original Side Rules, to issue a succession certificate in favour of the S.A.T.Shrineevasan @ Srimadi Athangi Thirumalacharyulu Shrineevasan, the 2nd 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



O.P.No.340 of 2024

ORDER

WEB COPY

The Original Petition has been filed under Section 372 of Indian Succession Act r/w XXV Rule VI of Original Side Rules for issuance of succession certificate in favour of 2nd petitioner in respect of schedule mentioned share certificate.

2. The petitioners are wife and son of late Tirumalacharulu Ayyavaralugaru @ S.A.T. Thirumala Charyulu. During the lifetime of said Tirumalacharulu Ayyavaralugaru @ S.A.T. Thirumala Charyulu he had acquired 8000 number of shares of M/s.Ramco Cements Limited. He died intestate on 15.10.2008 leaving behind the petitioners as Class – I heirs. At the time of his death, the said Tirumalacharulu Ayyavaralugaru @ S.A.T. Thirumala Charyulu was residing at No.5/5, South Mada Street, Triplicane, Chennai. Hence, succession certificate is sought before this Court which has territorial jurisdiction over the place of his last residence.

3. To substantiate the prayer for grant of succession certificate, the 2nd petitioner has mounted the witness box and marked the documents annexed to this order.



O.P.No.340 of 2024

WEB COPY

4. The death of Mr.S.A.T.Thirumalacharyulu Ayyavaralugaru is proved through death certificate marked as Ex.P.1. Ex.P.2 is the legal heirs certificate which discloses that the petitioners are the legal heirs of deceased Mr.S.A.T.Thirumalacharulu Ayyavaralugaru. M/s.Ramco Cements Ltd, Chennai, in which deceased S.A.T.Thirumalacharyulu Ayyavaralugaru had shares and same is reiterated in the letter marked as Ex.P.3. M/s.Ramco Cements Ltd, Chennai had addressed the 2nd petitioner confirming that the said Mr.Thirumalacharulu Ayyavaralugaru holding 8000 shares of Rs.1/- each in their Company. The said letter is marked as Ex.P.3. In this letter, the Company had informed that the dividends was not collected by the shareholders and therefore, same been transferred to Investor Education and Protection Fund (IEPF) on 23.12.2017. It is also informed to the petitioner by the M/s.Ramco Cements Limited that the legal heirs are entitled to claim the same from IEPF. This communication is marked as Ex.P.4. In compliance with the rules, paper publication been effected in one issue of Tamil daily inviting objections, a copy of the paper publication marked as Ex.P.6. However, there is no objection received.

5. In the above circumstances, this Court is of the view that the 2nd



O.P.No.340 of 2024

petitioner is entitled for grant of succession certificate as prayed for.

WEB COPY

6. Accordingly, this *Original Petition stands Allowed*. The Succession Certificate is issued in favour of the 2nd petitioner to enable him to collect the securities and to receive the interests, dividends on and negotiate and transfer the securities specified in the schedule hereto.

11.11.2024

Index :Yes.
Internet :Yes.
Speaking Order/Non-Speaking Order
bsm

APPENDIX

Petitioner's witness:

P.W.1 – Mr.S.A.T.Shrineevasan @ Srimadi Athangi Thirumalacharyulu Shrineevasan

Documents marked:

<i>Exhibits</i>	<i>Documents</i>
Ex.P.1	The computer generated death certificate of Mr.S.A.T. Thirumalacharyulu Ayyavaralugaru
Ex.P.2	The computer generated legal heir ship certificate of Mr.S.A.T. Thirumalacharyulu Ayyavaralugaru
Ex.P.3	The photocopy of the letter dated 04.11.2023 sent by me to the Company Secretary, Ramco Cements Ltd regarding shares held by Thirumalacharyulu Ayyavaralugaru
Ex.P.4	The photocopy of the letter dated 02.01.2024 addressed to me by the Secretary, Ramco Cements Ltd stating that the share certificate was dematerialised and the share have been transferred to IEPF on 23.12.2017
Ex.P.5	Certificate under Section 63 A of BSA
Ex.P.6	The copy of paper publication effected in one issue of Tamil daily “Malai Murasu” dated 10.08.2024.



WEB COPY



O.P.No.340 of 2024

11.11.2024

Dr.G.JAYACHANDRAN,J.

bsm

Pre-delivery order made in
Original Petition No.340 of 2024

11.11.2024