



O.P.No.279 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Reserved on : 15.11.2024

Pronounced on: 19.11.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Original Petition No.279 of 2024

1. Logeswari Karuppusamy.
2. K.Thiyagarajan.
3. K.Yesodha.

...Petitioners

PRAYER: Original Petition has been filed under Section 327 of the Indian Succession Act 39 of 1925 read with Order XXV Rule 6 of Original Side Rules that succession certificate may be granted to the petitioners with power to collect the debts and securities and to receive the interest or dividends and interest to negotiate or transfer the securities specified in the schedule hereto.

For Petitioners : Mr.S.Vijaya Ganesh

ORDER

This petition has been filed under section 372 of Indian Succession Act, 1925 and under Order XXV, Rule 6 of Original Side Rules for grant of succession certificate in the matter of the securities of Late M.Karuppusamy



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who died intestate leaving behind the petitioners herein as his class I legal heirs. M.Karuppasamy S/o.Muniappan an ordinary resident of Chennai at Door No:494, 16th Street, T.P.Chathram, Sehnoy Nagar, Chennai on 05/10/2021 died intestate leaving behind his wife, son and daughter. During his lifetime, he had acquired shares which are morefully described in the schedule of the petition. The securities in the D-Mat form with M/s.Sharekhan Limited, Mumbai, a registered trade broker. The market value of the shares is about Rs.9,22,677.37.

2. For the purpose of transferring the shares in the name of the petitioners, who are the legal heirs of the deceased Karuppasamy, succession certificate is required. Hence the petition for grant of succession certificate.

3. The petitioners are the wife, son and daughter of the deceased Karuppasamy. They all have jointly filed the petition for grant of succession certificate in respect of the securities namely the share certificates from various companies morefully mentioned in the schedule. To sustain the prayer, the first petitioner Logeswari W/o.Karuppasamy examined herself as P.W.1. The following 9 documents were marked.



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<i>Exhibits</i>	<i>Documents</i>
Ex.P.1	Computer generated statement of holding as on 31.03.2023 given by Sharekhan Limited in respect of shares and securities held by Mr.M.Karuppuswamy.
Ex.P.2	computer generated death certificate of Mr.M.Karuppusamy.
Ex.P.3	Computer generated legal heir ship certificate of Mr.M.Karuppusamy.
Ex.P.4	Photocopy of the Aadhaar Card of Mr.M.Karuppusamy
Ex.P.5	Photocopy of my Aadhaar Card
Ex.P.6	Photocopy of the Aadhaar Card of the second petitioner
Ex.P.7	Photocopy of the Aadhaar Card of the third petitioner
Ex.P.8	Copy of the paper publication effected in one issue of Tamil Daily "Makkal Kural" dated 06.07.2024
Ex.P.9	Certificate under Section 65B of the Indian Evidence Act, 1872.
Ex.P.10.	Attested copy of pension payment order of Indian Overseas Bank of Mr.Logeswari Karuppusamy.

4. The second petitioner K.Yesoda examined as P.W-2. The attested copy of the Pension Payment Order of Logeswari is marked as Ex.P-10.

5. Ex.P-1 the e-mail letter from M/s.Sharekhan Limited dated 26/12/2023 indicates that as on 31/03/2023, the shares mentioned in the communications were in the name of M.Karuppasamy. Ex.P-2 the death certificate issued by the Chennai Corporation indicates the said Karuppasamy died on 05/10/2021 at Chennai. Ex.P-3 the legal heir certificate dated 20/12/2021 issued by the Tahsildar reveals that the deceased Karuppasamy had



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two sons and one daughter born to his wife Logeswari. One of his son Senthilkumar pre-deceased him without issues. The first petitioner Logeswari is the wife of Karuppasamy, the second petitioner Yesodha is the daughter and the third petitioner Thiyagarajan is the son. Being the first class heir of the deceased Karuppasamy, they all are entitled to inherit the property of the deceased Hindu Male Karuppasamy. The identity of the petitioners are proved through their Aadhar card. The paper publication effected in the dailies did not receive any objection.

6. As a result, *this Original Petition is allowed.* The petition to grant of succession certificate in respect of the securities more fully described in the schedule to the petition is allowed in favour of the petitioners and to enable them to collect the securities and to receive the interest, dividends and negotiate and transfer the securities specified in the schedule hereto.

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Index :Yes/No.

Internet :Yes/No.

bsm

Petitioner's witness:

P.W.1 – Mrs.Logeswari Karuppusamy.

P.W.2 – Mr.K.Yesodha.



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Documents marked:

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Pre-delivery order made in
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