



O.P.No.329 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Reserved on : 22.11.2024

Pronounced on: 26.11.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Original Petition No.329 of 2024

1. S.Namagiri.
2. T.C.A.Sripriya.
3. Veena Vijay Ananth.
4. T.C.A.Mukundan

...Petitioners

PRAYER: Original Petition has been filed under Section 372 of Indian Succession Act, 1925 read with Order XXV Rule 6 of Original Side Rules that succession certificate may be granted to the 4th petitioner with the power to collect the debts and to receive the interest and dividends on an negotiate and transfer the securities specified in the schedule hereto.

For Petitioners : Mr.P.Meghana Nair

ORDER

The petition is filed under section 372 of Indian Succession Act, 1925 read with order XXV Rule 6 of Original Side Rules for Grant of Succession Certificate in the matter of securities of Late T.C.A. Srinivasan,



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who died intestate.

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2. The First Petitioner is the wife of late T.C.A.Srinivasan. The second petitioner is the daughter of Late T.C.A. Srinivasan. The Third and Fourth Petitioners are the wife and son of Late T.C.A. Vijay Ananth deceased S/o.T.C.A Srinivasan and the grand children of T.C.A Srinivasan.

3. On 10th July, 2018 T.C.A.Srinivasan died intestate at Chennai. He left behind his wife S.Namagiri (first petitioner), a daughter T.C.A Sripriya (second petitioner) and a son T.C.A Vijayananth (husband of third petitioner Veena Vijay Ananth and father of the fourth petitioner T.C.A Mukundan) as his legal heirs. He was holding securities in the nature of shares and debentures. On the death of T.C.A Srinivasan, his wife and two children being his first class legal heirs, entitled to get 1/3rd share each in his properties. His son Vijay Ananth later died intestate on 14th November, 2019, leaving behind his wife and the son. His 1/3rd share devolve on his mother, wife and son equally. Thus, the petitioners are entitled to share in the following proportion in respect of the assets left behind by T.C.A Srinivasan.



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1 st Petitioner- S.Namagiri	$1/3 + 1/9 = 4/9$
2 nd Petitioner – T.C.A Sripriya	1/3
3 rd Petitioner – Veena Vijay Ananth	1/9
4 th Petitioner – T.C.A Mukundan	1/9

4. The shares and debentures morefully described in the schedule were held by T.C.A Srinivasan in the physical form and never been demated. For the transfer of shares and debentures in the name of his legal heirs, the present petition for grant of succession certificate is filed by the petitioners. The petitioners 1 to 3 have given consent for the grant of succession certificate to the 4th petitioner to collect the debts and to receive the interest in dividends on and negotiate and transfer the securities morefully described in the schedule.

5. To prove their case, Mrs.Veena Vijay Anand had filed proof affidavit in lieu of Chief Examination. Marked the following 18 exhibits along with the consent affidavits of petitioners 1 to 3 in favour of 4th petitioner.

<i>Exhibits</i>	<i>Documents</i>
Ex.P.1	Computer generated death certificate of Mr.T.C.A.Srinivasan
Ex.P.2	Computer generated legal heir ship certificate of Mr.T.C.A.Srinivasan.



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<i>Exhibits</i>	<i>Documents</i>
Ex.P.3	Computer generated death certificate of Mr.T.C.A.Vijay Ananth
Ex.P.4	Computer generated legal heir ship certificate of Mr.T.C.A.Vijay Ananth.
Ex.P.5	Photocopies of the share certificates of Gujarat Industries Power Company Limited stand in the name of Mr.T.C.A.Srinivasan.
Ex.P.6	Photocopies of the debenture certificates of Gujarat Industries Power Company Limited stand in the name of Mr.T.C.A.Srinivasan
Ex.P.7	(Series 6 Nos) are the photocopies of the share certificates of Reliance Industries Limited stand in the name of Mr.T.C.A.Srinivasan.
Ex.P.8	Photocopy of the share certificate of Reliance Energy Ventures Limited stands in the name of Mr.T.C.A.Srinivasan.
Ex.P.9	Photocopy of the share certificate of Reliance Power Limited stands in the name of Mr.T.C.A.Srinivasan.
Ex.P.10	(Series 2 Nos) are the photocopies of the share certificates of Reliance Polypropylene Limited stand in the name of Mr.T.C.A.Srinivasan.
Ex.P.11	Photocopy of the share certificate of Reliance Communications Ventures Limited stands in the name of Mr.T.C.A.Srinivasan.
Ex.P.12	Photocopy of the share certificate of Reliance Natural Resources Limited stands in the name of Mr.T.C.A.Srinivasan.
Ex.P.13	Photocopy of the share certificate of Reliance Capital Ventures Limited stands in the name of Mr.T.C.A.Srinivasan.
Ex.P.14	(Series 2 Nos) are the photocopies of the share certificates of Bombay Oxygen Corporation Limited stand in the name of Mr.T.C.A.Srinivasan.
Ex.P.15	Photocopy of the share certificate of Canara Bank stands in the name of Mr.T.C.A.Srinivasan
Ex.P.16	(Series 5 Nos) are the photocopies of the share certificates of Madras Rubber Factory Limited stand in the name of Mr.T.C.A.Srinivasan.
Ex.P.17	Copy of the paper publication effected in one issue of Tamil daily “Makkal Kural” dated 27.07.2024.



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<i>Exhibits</i>	<i>Documents</i>
Ex.P.18	Affidavit under Section 65B of the Indian Evidence Act, 1872.

6. To prove T.C.A Srinivasan died on 10.07.2018 the death certificate of T.C.A Srinivasan is marked as Ex.P-1. Ex.P-2 is the legal heirs certificate of T.C.A Srinivasan, which proves the relationship between the petitioners 1 and 2 with the deceased. Ex.P-3 is the death certificate of T.C.A.Vijay Ananth which proves his death and his relationship with T.C.A Srinivasan. Ex.P-4 is the legal heir certificate of T.C.AVijay Ananth to prove his relationship with the petitioners 3 and 4. The shares and debentures in the name of T.C.A Srinivasan are marked as Ex.P-5 to Ex.P-16. The Paper Publication effected in 'Makkal Kural' inviting objection is marked as Ex.P-17. On the date of hearing none appeared to object the grant of succession certificate in favour of the 4th petitioner as prayed in the petition.

7. In the light of the above facts and documents produced, the petition for grant of succession certificate in respect of the securities held by Late T.C.A Srinivasan more fully described in the schedule is granted in favour of the petitioner.



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8. Accordingly, this *Original Petition stands Allowed*. The Succession Certificate is issued in favour of the 4th Petitioner to enable him to collect the securities and to receive the interest, dividends on and negotiate and transfer the securities specified in the schedule hereto. The 4th petitioner is directed to render accounts within six months.

26.11.2024

Index :Yes/No.

Internet :Yes/No.

bsm

Petitioner's witness:

P.W.1 – Mrs.Veena Vijay Ananth

Documents marked:

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Dr.G.JAYACHANDRAN,J.

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Pre-delivery order made in
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