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O.P.No.335 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.12.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

O.P.No.335 of 2024

1. Deepika Kumaravel
2. Mirdula Patnaik @ Mridula Raghunathan
3. V.S.Krishna

... Petitioners

Prayer: Original Petition has been filed under Section 372 of Indian Succession Act, r/w Order XXV Rules 6 of Original Side Rules, praying that succession certificate may be granted in favour of Deepika Kumaravel the first petitioner herein for the shares in the schedule mentioned share certificate with the power to collect the securities and to receive the interest and dividends and negotiate and transfer the securities/shares as specified in the schedule.

For Petitioners : Mr.S.K.Sivasubramaniam

ORDER

The 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 1st petitioner herein for the shares in the schedule mentioned share certificate with the power to collect the



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securities and to receive the interest and dividends and negotiate and transfer the securities/shares as specified in the schedule held by V.K.Sundaram who died intestate.

2. During his life time, V.K.Sundaram has acquired shares in different companies morefully described under the schedule to the petition. He had two daughters and one son who are the petitioners herein. The said V.K.Sundaram died on 27.12.1995 leaving behind these petitioners and his wife as his legalheirs. Subsequently, his wife Lakshmi Sundaram died on 15.01.2004.

3. The shares held by V.K.Sundaram not claimed till his death or soon after his death. Hence, the company has transferred those shares to the register of unclaimed suspense account. When the first petitioner sought for transfer of shares, the said fact has been intimated to her and she has been instructed to get succession certificate for transfer of shares. Hence, the present petition has been filed jointly by the legal heirs of the deceased V.K.Sundaram, wherein the other two petitioners have given consent for grant of succession certificate in favour of the first petitioner namely Deepika Kumaravel and they have expressly stated in the petition that they are relinquishing their right whatsoever in the shares, securities left by their father Late V.K.Sundaram.



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4. To prove her claim, the first petitioner has graced the witness box and examined herself as P.W.1 and marked the following 11 exhibits:

<i>Exhibits</i>	<i>Documents</i>
Ex.P.1	Computer Generated Death Certificate of Mr.V.K.Sundaram
Ex.P.2	Photocopy of the Legalheir ship certificate of Mr.V.K.Sundaram
Ex.P.3	Computer generated death certificate of Mrs.Lakshmi Sundaram
Ex.P.4	E-mail dated 14.11.2022 sent by CB Management Services Pvt Ltd to her asking for succession certificate from the competent Court of law.
Ex.P.5	Photocopy of the letter dated 22.10.2022 sent by Intergrated Registry Management Services Pvt Ltd in respect of transmission of shares held by Mr.V.K.Sundaram in ZF Commercial Vehicle Control Systems India Ltd
Ex.P.6	Photocopy of the letter dated 13.12.2022 sent by Intergrated Registry Management Services Pvt Ltd in respect of transmission of shares held by Mr.V.K.Sundaram in Sundaram Clayton Ltd
Ex.P.7	Photocopy of the letter dated 29.01.2022 sent by Kfin Technologies Ltd addressed the 1 st petitioner in respect of transmission of shares held by Mr.V.K.Sundaram in Hindustan Uniliver Limited
Ex.P.8	Photocopy of the letter dated 28.10.2022 sent by Kfin Technologies Ltd addressed the 1 st petitioner in respect of transmission of shares held by Mr.V.K.Sundaram in Glaxosmithkline Pharmaceuticals Limited
Ex.P.9	Photocopy of the Aadhaar Card of Deepika Kumaravel
Ex.P.10	The Certificate under Section 65B of the Indian Evidence Act, 1872
Ex.P.11	Copy of the Paper Publication effected in one issue of Tamil Daily " Malai Murasu" dated 02.08.2024



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5. To prove the death of V.K.Sundaram, the petitioners have marked Ex.P.1, the Death Certificate. To show that the petitioners are legalheirs of V.K.Sundaram, Ex.P.2 is marked. The death of Lakshmi, W/o. V.K.Sundaram is reflected in the death certificate Ex.P.3. The communication from companies which are marked as Exs.P.4 to P.8 indicates that the shares mentioned in the schedule bearing in the name of V.K.Sundaram and since his death, it has been transferred to unclaimed suspense account as per the company law.

6. The paper publication inviting public objection has evoked no response. In such circumstances the other two petitioners have also filed consent affidavit along with petition for succession certificate to be issued in favour of the first petitioner.

7. In view of the above fact, this Court is satisfied that the first petitioner is entitled for the Succession Certificate in respect of securities morefully described in the schedule to and in favour of the first petitioner Deepika Kumaravel.



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8 Accordingly, this Original Petition stands allowed. The Succession Certificate is issued in favour of the first petitioner for the shares in the schedule mentioned share certificate with the power to collect the securities and to receive the interest and dividends and negotiate and transfer the securities/shares as specified in the schedule.

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Petitioner's witness:

P.W.1 – Mrs.Deepika Kumaravel

Documents marked:

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