

**O.P.No.37 of 2023****A.A.NAKKIRAN, J.**

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This Petition has been filed under Section 372 of the Indian Succession Act, 1925 and under Order XXV Rule 6 of O.S.Rules to grant succession certificate in favour of the petitioner.

2. The 2nd petitioner herein is the son of Late Shantilal M Shah @ Shantilal, the 1st petitioner herein. His mother is Late Deena S.Shah @ Deena Shantilal Shah. She died intestate on 19.09.2016 leaving behind the second petitioner and the respondents as Class-I legal heirs, who are all entitled to equal shares of her estate. The 1st petitioner, who is the father of the 2nd petitioner herein died on 21.06.2022. Hence, the present petition has been filed seeking for grant of succession certificate in favour of the 2nd petitioner with the power to collect the securities with dividends on and negotiate and transfer the securities specified in the schedule.

3.The petitioner examined himself as P.W.1 and marked Exs.P.1 to P.8 viz.,

Ex.P1 is the Computer generated death certificate of Late Mrs. Deena Shantilal Shah.



Ex.P2 is the photocopy of legal heir certificate of Mrs. Deena Shantilal Shah.

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Ex.P3 is the photocopy of the Aadhar Card of Mrs. Deena Shantilal Shah.

Ex.P4 (series Nos.5) are the photocopies of Share Certificates in Bharat Rasayan Limited standing in the name of Mrs. Deena Shah.

Ex.P5 (series Nos.2) are the photocopies of Share Certificates in Sundaram Fasteners Limited standing in the name of Mrs. Deena S.Shah.

Ex.P6 is the photocopy of the letter dated 29.12.2018 written by the 1 petitioner to Link Intime India Pvt Ltd., Mumbai informing the death of Deena Shantilal Shah and asking for procedure to transfer the shares in the name of the 1st petitioner.

Ex.P7 is the photocopy of the letter dated 16.03.2019 from Link Intime India Pvt Ltd., addressed to the 1st petitioner asking for Succession Certificate from the Court of Law.

Ex.P8 is the copy of paper publication effected in one issue of Tamil daily "Makkal Kural" dated 28.12.2023.

4. He has further stated in his evidence that he has not filed any other petition before any other Court seeking the same relief.

5. Considering the averments made in the petition and the documents filed by the petitioner, I am satisfied that the 2nd petitioner has succeeded the Estate of the deceased Late Shantilal M.Shah @Shantilal. Therefore, the



petition is ordered as prayed for and a direction for grant of Succession Certificate to the 2nd petitioner with the power to collect the securities with dividends on and negotiate and transfer the securities specified in the schedule to the petition is issued. He is directed to render accounts once in a year.

02.02.2024

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