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**Application No. 3540 of 2024
and O.P. No. 511 of 2021**

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C.V.KARTHIKEYAN, J.

The application has been filed seeking to modify the order dated 14.07.2023 passed in O.P. No. 511 of 2021. By the said order, a learned Single Judge of this Court had granted Succession Certificate in favour of the petitioner, but had restricted such share to 1/5th share of the movable assets /share certificates, which have been mentioned in the schedule to the petition.

2. The respondents have not raised any objections for granting succession certificate to the petitioner, but they did so only because of the relief which was sought in the succession certificate, which was to collect the security and transmit, transfer the securities or negotiate the securities, but primarily to also transmit the securities in favour of all the other respondents also.



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3. This is effectively mean that in the share certificate name transfer will have to be done not only in the name of the petitioner, but also in the names of the joint respondents.

4. In view of that particular fact, the order dated 14.07.2023 is modified and para 7(b) would read as follows:-

“The Succession Certificate shall be issued in favour of the petitioner in respect of the movable assets in the schedule, with power to collect the securities and to receive dividends and transmit or negotiate and transfer the securities specified in the schedule on payment of appropriate succession duty, if it not paid already.”

5. The petition stands allowed. The corrected order copy may be issued to the petitioner. The petitioner may hand over the original succession certificate.

6. Registry may make necessary corrections.

23.07.2024

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