



O.P.No.358 of 2024

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Reserved on :12.11.2024

Pronounced on :14.11.2024

Coram:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

ORIGINAL PETITION NO.358 OF 2024

1.Usha Vijay Kumar
2.R.Anuradha
3.Latha
4.Rema
5.P.M.Chitra

.. 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, praying to grant Succession Certificate in favour of all the petitioners with power to collect the securities and to receive the dividends thereon and negotiate and transfer the securities specified in the schedule hereto.

For Petitioners :Mr.S.Raja Ravi Varma



WEB COPY



O.P.No.358 of 2024

ORDER

This Original Petition has been filed seeking to grant Succession Certificate under Section 372 of Indian Succession Act, 1925 read with Order XXV, Rule 6 of Original Side Rules, in favour of all the petitioners with power to collect the securities and to receive the dividends thereon and negotiate and transfer the securities specified in the schedule hereto in the name of deceased N.K.Chella, who died intestate.

2. The petitioners herein are the daughters of deceased N.K.Chella. Her husband N.K.Krishnaswamy predeceased her. During her lifetime, the said N.K.Chella acquired the securities namely, share certificates, which are in the demat form and morfully described in the schedule attached to the petition. Since the said N.K.Chella died intestate and the petitioners are surviving class I heir of N.K.Chella being heir daughters, the petition is filed for issuance of Succession Certificate in respect of the securities which is valued at Rs.2,35,524.00.



O.P.No.358 of 2024

WEB COPY

3.To prove their entitlement, for their Succession Certificate Mrs.R.Anuradha, the second petitioner/second daughter of Mrs.N.K.Chella has grazed the witness box and had marked the following exhibits:-

Ex.P1	Computer generated death certificate of Mrs.N.K.Chella.
Ex.P2	Computer generated legal heir ship certificate of Mrs.N.K.Chella.
Ex.P3	Original Statement of holding of Aditya Birla Money Ltd., bearing client ID No.1203760000137875 of Mrs.N.K.Chella.
Ex.P4	Certificate under Section 65B of the Indian Evidence Act, 1872.
Ex.P5	Copy of paper publication effected in one issue of Tamil daily “Makkal Kural” dated 29.07.2024.

4. The above exhibits discloses that the schedule mentioned properties are in the name of N.K.Chella (Ex.P3).The said N.K.Chella died on 09.08.2022(Ex.P1). The petitioners 1 to 5 are the legalheirs of the deceased N.K.Chella (Ex.P2). When paper publication (Ex.P5) issued inviting objection for grant of Succession Certificate in favour of the petitioners, no objection was received.



O.P.No.358 of 2024

WEB COPY

5. Having complied the necessary requirements to show that the petitioners are the Class-I heirs of late N.K.Chella and the schedule mentioned securities been held in her name, the petitioners being the Class-I heirs of said N.K.Chella, are entitled to succeed over the securities and hence, Succession Certificate is granted in respect of the schedule mentioned securities.

6. Accordingly, this Original Petition is allowed. The Succession Certificate may be issued in favour of the petitioners, in accordance with Rules, with power to collect the securities of the deceased N.K.Chella and to receive the dividends thereon and negotiate and transfer the securities specified in the schedule hereto.

14.11.2024



O.P.No.358 of 2024

WEB COPY

Index:yes/no
Internet:yes/no
Speaking Order/Non Speaking order
ari

Petitioners' witness:-

P.W.1:Mrs.R.Anuradha

Documents marked:-

Ex.P1	Computer generated death certificate of Mrs.N.K.Chella.
Ex.P2	Computer generated legal heir ship certificate of Mrs.N.K.Chella.
Ex.P3	Original Statement of holding of Aditya Birla Money Ltd., bearing client ID No.1203760000137875 of Mrs.N.K.Chella.
Ex.P4	Certificate under Section 65B of the Indian Evidence Act, 1872.
Ex.P5	Copy of paper publication effected in one issue of Tamil daily "Makkal Kural" dated 29.07.2024.

14.11.2024

ari

5/6



WEB COPY



O.P.No.358 of 2024

DR.G.JAYACHANDRAN,J.

ari

delivery Order made in
O.P.No.358 of 2024

14.11.2024