



This Original Petition is filed under Section 372 of the Indian Succession Act, read with Order XXV Rule 6 of the Madras High Court Original Side Rules, to grant succession certificate in favour of the petitioners.

2. It is the case of the petitioners that the first petitioner is the son of the deceased B.Chitharanjan and the second petitioner is the daughter of the deceased. The deceased B.Chitharanjan died on 01.03.2001 and he ordinarily resided in Old No. 48, New No. 6, Bakthavachalam Road, Mylapore, Chennai-04. The father of the deceased M. Bakthavachalam died on 13.02.1987 and his mother Gnanasundram Bakthavachalam died on 18.11.1970, both of them predeceased to the death of Chitharanjan. The deceased B.Chitharanjan had the share certificate of Housing Development Finance Corporation in vide certificate No. 2455546 Folio No. B0000672 Dist No. 6798986 to 6799985 totally 1000 shares, each Rs.2/- morefully described the schedule hereunder within the jurisdiction of this Court. The deceased had left behind the securities more specifically described in the schedule hereunder at the time of his death. The securities more specifically described in the schedule annexed hereunder were purchased by the deceased during his life time. He died intestate and though diligent search was made for a Will, none has been found. The petitioners are the only legal heirs of the deceased, who are the



Class-I Heirs. No application has been made to any District Court or delegate or to any High Court - for probate of any Will of the deceased or for Letters of Administration with or without the Will annexed to the properties and credits and or for issuance of Succession Certificate in respect of any debtor security belonging to the estate of the deceased. The petitioners have filed the Legal Heirship Certificate issued by the Tahsildar and the Death Certificate of the deceased. Hence, they have approached this Court for issuance of Succession Certificate in their favour with power to collect the debts and to receive the interest specified in the schedule with regard to the pensionary benefits and other allowances due to the deceased.

3. The petitioners state that the said deceased B.Chitharanjan at the time of his death left behind his wife, namely, Chandra Chitharanjan and the petitioners herein as his surviving legal heirs, thereafter, the above said Chandra Chitharanjan, Wife of Chitharanjan, Mother of the petitioners herein died on 01.07.2019. The death certificate issued by the Chennai Corporation dated 01.07.2019, the legal heirship certificate of Chandra Chitharanjan dated 16.09.2019 vide Certificate No.TN-7201908282342 reveals that the petitioners are the only surviving legal heir of the above said deceased Chitharanjan and his deceased wife Chandra Chitharanjan residing at the aforesaid address and the petitioners claim to be entitled to a share of the estate of the deceased. The parents of the deceased Chitharanjan predeceased to his



death. The petitioners state that they have truly set forth in the schedule hereunder the debts in respect of which the certificate is applied for the succession certificate is required for the purpose of obtaining copy of share certificate and transmitting the securities held by the deceased B. Chitharanjan. The said assets in respect of which the succession certificate is required is of the value of Rs.20 Lakhs.

4. The petitioners submit that the death certificate of deceased B.Chitharanjan dated 01.03.2001 issued by the Department of Public Health, Corporation of Chennai and the legal heirship certificate of deceased dated 09.04.2001 issued by the Tahsildar, Mylapore-Triplicane Taluk, Chennai-600 028. The petitioners submit that along with death certificate and legal heir certificate approached the Housing Development Finance Corporation for transmission of shares certificate No. 2455546 stands in the name of B.Chitharanjan, the petitioners were informed by their Registrar of Link intime India Pvt., Limited to get succession certificate from the competent Court.

5. The petitioners state that the 2nd petitioner Mrs.Mallika aged about 71 years residing at FREJS VAG 4, 61234 FINSPONG, SWEDEN. Therefore, she has executed a Power of Attorney on 17.08.2023, the same was adjudicated vide Doc.No. 2008 of 2023. Appointing her younger brother Arun B.Chitharanjan as their Power of Attorney, agent and authorized him to take



all steps to transfer their share of the securities held by their Father the deceased B.Chitharanjan to their name. Hence, the 2nd petitioner is represented by their Power of Attorney Agent Arun B. Chitharanjan who is also the brother of the 2nd petitioner in this Original Petition.

6. The first petitioner examined herself as P.W.1 and marked the following exhibits:

Exhibit Number	Description of the document
Ex.P1	Death Certificate of deceased B.Chitharanjan
Ex.P-2	Death Certificate of Chandra Chitharanjan
Ex.P-3	Legal Heirship Certificate of Chandra Chitharanjan
Ex.P-4	Photocopy of the Letter dated 09.05.2023 sent by Link Intime India Pvt. Ltd.
Ex.P5	Photo copy of the Aadhaar Card of the first petitioner
Ex.P6	Photo copy of the Power of Attorney dated 17.08.2023 executed by the second petitioner in favour of the 1 st petitioner
Ex.P7	Copy of paper publication effected in one issue of Tamil Daily "Makkal Kural", dated 13.01.2024.

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



7. Considering the averments made in the petition and the facts and circumstances of the case and the oral and documentary evidence adduced, I am satisfied that the petitioners have succeeded to the Estate of the deceased B.Chitharanjan. Therefore, the petition is ordered as prayed for and a direction is issued to the Registry of this Court to issue the Succession Certificate to the petitioners, with power to collect the debts and to receive the interest specified in the schedule to the petition.

22.02.2024

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[A.A.NAKKIRAN, J](#)

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O.P.No. 760 of 2023

22.02.2024