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O.P. No. 777 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.04.2024

CORAM

THE HONOURABLE MS.JUSTICE C.V.KARTHIKEYAN

O.P. No. 777 of 2023

1.Ganesh MR (Alias) MR Theivarayan
2.MR.Thenammai Achi
3.RM.Visalakshi

... Petitioners

PRAYER: Original Petition filed for Succession Certificate under Section 372 of Indian Succession Act, 1925 under Order XXV Rule 6 of Original Side Rules, prays that a Succession Certificate may be granted to the 1st petitioner with a power to collect the securities and to receive the interest and dividends thereon and negotiate and transfer the securities specified in the Schedule hereto.

For Petitioners : Mr. B.Prashanth Nadaraj

ORDER

This Original Petition has been filed under section 372 of the Indian Succession Act, 1925 for seeking issuance of Succession Certificate of the deceased T Murugappan (Alias) T Murugappa Chettiar, who died on 05.03.2000.



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2. The deceased is the father of the 1st and 3rd petitioners and husband of the 2nd petitioner. Learned Counsel for the petitioners stated that the petitioners were not aware of the legal procedure to be adopted on the death of the individual who had shares in the companies. The shares have been marked individually.

3. The matter had been referred to the Master for recording evidence. During the course of evidence, the 1st petitioner has been examined as P.W.1 and Exs.P1 to P31 have been marked.

4. In view of the fact that the evidences have been produced to establish the case of the petitioners, the Original Petition stands allowed and the Succession Certificate shall be issued in favour of the petitioners, with power to collect the securities and to receive the interest and dividends thereon and negotiate and transfer the securities specified in the Schedule hereunder on payment of appropriate succession duty, if not paid earlier.

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Index :Yes/No
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APPENDIX

Petitioner's witness:

P.W.1 – Mr.Ganesh (Alias) Theivarayan

Documents marked:

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Death certificate of T.Murugappan.
Ex.P2	Photocopy of the legal heirship certificate of T.Murugappa Chettiar (compared with the original).
Ex.P3	Photocopy of the share certificate bearing No.1551 in Tech Mahindra Limited standing in the name of T.Murugappan (compared with the original).
Ex.P4	Photocopy of the share certificate bearing No.4387 in Tech Mahindra Limited standing in the name of T.Murugappan (Compared with the original).
Ex.P5	Photocopy of the letter dated 28.10.2014 sent by Intellect Design Arena Limited about allotment of 100 nos of equity shares (Compared with the original).
Ex.P6	Photocopy of the share certificate in Intellect Design Arena Limited bearing certificate No.911 standing in the name of T.Murugappan (compared with the original).
Ex.P7	Photocopy of the share certificate in Intellect Design Arena Limited bearing certificate No.64884 standing in the name of T.Murugappan (compared with the original).
Ex.P8	Photocopy of the share certificate in Intellect Design Arena Limited bearing certificate No.64883 standing in the name of T.Murugappan (compared with the original).



<i>Exhibits</i>	<i>Documents</i>
Ex.P9	Photocopy of the letter dated 12.01.2012 sent by Karvy Computer Share Private Limited asking for succession certificate from the competent court of law (Compared with the original).
Ex.P10	Photocopy of the letter dated 15.07.1987 sent by Titan Watches Limited about the allotment of 10 nos of debentures to Mr.T.Murugappa Chettiar (Compared with the original).
Ex.P11	Photocopy of the debenture certificate in Titan Watches Limited bearing Certificate No.00084087 standing in the name of Mr.T.Murugappa Chettiar (Compared with the original).
Ex.P12	Photocopy of the letter dated 23.05.1989 sent by Tata Share Registry Limited allotting shares and debentures to Mr.T.Murugappa Chettiar (Compared with the original).
Ex.P13	Photocopy of the share certificate in Titan Watches Limited bearing certificate No.00026339 standing in the name of T.Murugappan (compared with the original).
Ex.P14	Photocopy of the debenture certificate in Titan Watches Limited bearing Certificate No.00026339 standing in the name of Mr.T.Murugappa Chettiar (Compared with the original).
Ex.P15	Photocopy of the letter dated 31.10.1989 sent by Titan Watches Limited about the allotment of 10 nos of debentures to Mr.T.Murugappa Chettiar (Compared with the original).
Ex.P16	Photocopy of the certificate dated 30.10.1992 sent by Titan Watches Limited converting 10 nos of debentures into 40 nos of shares to Mr.T.Murugappa Chettiar (Compared with the original).



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<i>Exhibits</i>	<i>Documents</i>
Ex.P17	Photocopy of the share certificate in Titan Watches Limited bearing certificate No.00105241 standing in the name of T.Murugappan (compared with the original).
Ex.P18	Photocopy of the share certificate in Titan Watches Limited bearing certificate No.00072686 standing in the name of T.Murugappan (compared with the original).
Ex.P19	Photocopy of the letter dated 23.12.1992 sent by Titan Watches Limited intimating the allotment of 20 nos of shares to Mr.T.Murugappa Chettiar (Compared with the original).
Ex.P20	Photocopy of the letter dated 23.12.1992 sent by Titan Watches Limited intimating the allotment of 100 nos of shares certificate to Mr.T.Murugappa Chettiar (Compared with the original).
Ex.P21	Photocopy of the letter dated 07.06.2006 sent by Intime Spectrum Registry Limited stating the enclosure of share certificate to Mr.T.Murugappa Chettiar (Compared with the original).
Ex.P22	Photocopy of the debenture certificate in Titan Industries Limited bearing Certificate No.2875 standing in the name of Mr.T.Murugappa Chettiar (Compared with the original).
Ex.P23	Photocopy of the share certificate in Titan Industries Limited bearing Certificate No.204166 standing in the name of Mr.T.Murugappa Chettiar (Compared with the original).
Ex.P24	Photocopy of the share certificate in Titan Industries Limited bearing Certificate No.00022441 standing in the name of Mr.T.Murugappa Chettiar (Compared with the original).



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<i>Exhibits</i>	<i>Documents</i>
Ex.P25	Photocopy of the letter dated 12.05.2006 sent by Titan Industries Limited about allotment of 18 nos debentures to Mr.T.Murugappa Chettiar (Compared with the original).
Ex.P26	Photocopy of the letter dated 11.10.2010 sent by TSR Darashaw Limited asking for succession certificate from the competent court of law (Compared with the original).
Ex.P27	Photocopy of the letter dated 18.11.2010 sent by TSR Darashaw Limited asking for succession certificate from the competent court of law (Compared with the original).
Ex.P28	Photocopy of the letter dated 16.11.2011 sent by TSR Darashaw Limited asking for succession certificate from the competent court of law (Compared with the original).
Ex.P29	Photocopy of the letter dated 29.05.2017 sent by TSR Darashaw Limited asking for succession certificate from the competent court of law (Compared with the original).
Ex.P30	Photocopy of the family card for the period 2005-2009 of third petitioner (compared with the original).
Ex.P31	Copy of the paper publication effected in one issue of Tamil Daily “Makkal Kural” dated 08.03.2024.

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