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O.P.No.87 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **04.07.2024**

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

O.P. No. 87 of 2024

1.Anil Kumar Sachdev
2.Akshay Sachdev

... Petitioners

PRAYER: Original Petition filed under Section 372 of the Indian Succession Act XXXIX of 1925, read with Order XXV Rule 6 of Original Side Rules to grant Anil Kumar Sachdev, 1st petitioner herein, with power to collect the debts and to receive the interest and dividends on and negotiate and transfer the securities including those specified in the schedules hereto.

For Petitioners : Mr. George Cheriyan

ORDER

This petition has been filed taking advantage of Section 372 of the Indian Succession Act, seeking succession certificate relating to certain securities in the name of Neerja Sachdev, late wife of the 1st petitioner and mother of the 2nd petitioner, who died intestate on 18.08.2002.



O.P.No.87 of 2024

WEB COPY

2. Her parents have pre-deceased her. The petitioners are the Clause – I legal heirs. The details of the share certificates had been given in the schedule to the petition.

3. It is stated that the petitioners were not aware of the fact that succession certificate will have to be obtained for transfer of shares in their names. After following due procedures, the petitioners were directed to tender evidence and accordingly, the 1st petitioner examined himself as P.W.1. He marked the death certificate and legal heirship certificate of his wife as Exs.P1 and P2 and documents relating to the share certificates were marked as Exs.P3 to P5.

4. The 2nd petitioner has granted consent for the succession petition to be issued in favour of the 1st petitioner.

5. Taking into consideration the evidence adduced and documents produced, this Original Petition is allowed and Succession Certificate is



O.P.No.87 of 2024

directed to be issued to the 1st petitioner with power to collect the debts and to receive the interest and dividends thereon and negotiate and transfer the securities as specified in the schedule hereunder on payment of appropriate succession duty, if not paid earlier.

04.07.2024

Index :Yes/No
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APPENDIX

Petitioners' witness:

P.W.1 – Anil Kumar Sachdev

Documents marked:

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Computer generated death certificate of Mrs.Neerja Sachdev.
Ex.P2	Photocopy of the legal heirship certificate of Mrs.Neerja Sachdev (compared with the original).
Ex.P3	Photocopy of the share certificate of POCL Enterprises Limited bearing Reg.Folio No.00000074 and certificate No.74 in the name of Mrs.Neerja Sachdev (compared with the original).
Ex.P4	Photocopy of the share certificate of POCL Enterprises



O.P.No.87 of 2024

<i>Exhibits</i>	<i>Documents</i>
	Limited bearing Reg.Folio No.00000743 and certificate No.74 in the name of Mrs.Neerja Sachdev (compared with the original).
Ex.P5	Photocopy of the share certificate of Pondy Oxides and Chemical Limited bearing Reg.Folio No.00000074 and certificate No.410 in the name of Mrs.Neerja Sachdev (compared with the original).
Ex.P6	Copy of the paper publication effected in one issue of Tamil Daily “Maalai Thamizhagam” dated 07.04.2024.

04.07.2024

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O.P.No.87 of 2024

C.V.KARTHIKEYAN,J.

Gsa

O.P. No. 87 of 2024

04.07.2024