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O.P.No.86 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. 86 of 2024

1.Anil Kumar Sachdev

2.Rekha Miglani

3.Arvind Kumar Sachdev

4.Sanjiv Datt

5.Sakshi Datt

... 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 Arvind Kumar Sachdev, 3rd 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 Prem Sachdev, mother of the 1st, 2nd and



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3rd petitioners, mother-in-law of the 4th petitioner and grandmother of the 5th petitioner, who died intestate on 12.02.2013.

2. Her husband/father of the 1st, 2nd and 3rd petitioners, father-in-law of the 4th petitioner and grandfather of the 5th petitioner pre-deceased her on 18.08.2001. The wife and mother of the 4th and 5th petitioners who was one of the daughters of Prem Sachdev had died on 23.02.2019. The details of the securities had been mentioned in the schedule to the petition.

3. It is stated that the petitioners did not obtain a succession certificate earlier and came to know about the share certificates only recently. After following due procedures, the petitioners were directed to tender evidence and accordingly, the 1st petitioner examined himself as P.W.1. The death certificate and legal heirship certificate of his father was marked as Exs.P1 and P2 and death certificate of his mother was marked as Ex.P3. The death certificate and legal heirship certificate of his deceased sister were marked as Exs.P4 and P5 respectively. The



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documents relating to the securities were marked as Exs.P7 to P9.

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4. The petitioners 2 to 5 have granted consent for the succession petition to be issued in favour of the 3rd petitioner.

5. Taking into consideration the evidence adduced and documents produced, this Original Petition is allowed and Succession Certificate is directed to be issued to the 3rd 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.

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Index :Yes/No
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APPENDIX

Petitioners' witness:

P.W.1 – Anil Kumar Sachdev



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Documents marked:

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Photocopy of the death certificate of Mr.Jagadish Chandra Sachdev (compared with the original).
Ex.P2	Photocopy of the legal heirship certificate of Mr.Jagdish Chandar Sachdev (compared with the original).
Ex.P3	Computer generated death certificate of Mrs.Prem Sachidev.
Ex.P4	Computer generated death certificate of Mrs.Neera Datt.
Ex.P5	Computer generated legal heir certificate of Mrs.Neera Datt.
Ex.P6	Photocopy of the extract of the marriage register kept by the Marriage Registrar Madras South in respect of the marriage between Mr.Sanjiv Datt and Mrs.Neera Datt (compared with the original).
Ex.P7	Photocopy of the share certificate of Pondy Oxides and Chemical Limited bearing Reg.Folio No.00000083 and certificate No.83 in the name of Mr.Jagdish Chander Sachdev (compared with the original).
Ex.P8	Photocopy of the share certificate of POCL Enterprises Limited bearing Reg.Folio No.00000083 and certificate No.83 in the name of Mr.Jagdish Chander Sachdev (compared with the original).
Ex.P9	Photocopy of the share certificate of Pondy Oxides and Chemical Limited bearing Reg.Folio No.00000083 and certificate No.413 in the name of Mr.Jagdish Chander Sachdev (compared with the original).



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<i>Exhibits</i>	<i>Documents</i>
Ex.P10	Copy of the paper publication effected in one issue of Tamil Daily “Maalai Thamizhagam” dated 07.04.2024.

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C.V.KARTHIKEYAN,J.

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