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O.P.No.185 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.10.2024

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THE HONOURABLE MR.JUSTICE RMT.TEEKAA RAMAN

O.P.No.185 of 2024

1. Beena Rajamani

2. R.Arun

3. R.Adithya

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Petitioners

PRAYER: Original Petition filed under Section 372 of Indian Succession Act, 1925, under Order XXV Rule 6 of Original Side Rules, praying that a Succession Certificate may be granted to the petitioners with the power to collect the shares and to receive the interest and dividends on and negotiate and transfer the securities specified in the schedule.

For Petitioners : Mr.P.Ravichandran

ORDER

Original Petition filed under Section 372 of Indian Succession Act, 1925, under Order XXV Rule 6 of Original Side Rules, praying that a Succession Certificate may be granted to the petitioners with the power to collect the shares and to receive the interest and dividends and negotiate and transfer the securities specified in the schedule.



2. It is submitted by the learned counsel for the petitioners that Mr.C.Rajamani died on 14.02.2016, at his ordinary place of residence, No.14, Baktha Vedantha Avenue, Ramapuram, Chennai 600 089 and left property specified in the schedule. The deceased left behind his wife, Beena Rajamani and two sons, R.Arun and R.Adithya, who are the petitioners herein and the legal heirs of the deceased.

3. It is further submitted by the learned counsel for the petitioners that the deceased Mr.C.Rajamani was a musician who composed songs for movies. He had entered into an assignment deed with Indian Performing Right Society Limited having office at No.208, Golden Chambers, 2nd Floor, New Andheri Link Road, Andheri, Mumbai, assigning wholly the copy right for public performance of his existing musical works, arrangements, composition, transcripts and manuscripts, whether published or unpublished, recorded for any film including his future works and is a member since 22.08.1994. The movable property in respect of the deceased musical works is of the value Rs.1,00,000/-. Therefore, the amount for which the succession certificate is required is valued at Rs.1,00,000/-. The learned counsel for the petitioner further added that succession certificate is required for the purpose of obtaining membership for the beneficiaries of Mr.C.Rajamani in the Indian Performing Right Society Limited, which stands in the name of the deceased



Mr.C.Rajamani. Therefore, it is prayed that the succession certificate be granted to the petitioners.

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4. After following due procedure, the petitioners were invited to tender evidence. The 3rd petitioner, Mr.R.Adithya examined himself as P.W.1 and marked Exs.P1 to P8. Paper publication has been effected and the learned Master did not receive any objections.

5. In view of both oral and documentary evidences adduced before this Court, I find no impediment to grant succession certificate to the petitioners.

6. Hence, this Original Petition stands allowed. The Succession Certificate may be issued in favour of the petitioners in accordance with rules, with the power to collect the shares and to receive the interest and dividends on and negotiate and transfer the securities specified in the schedule.

17.10.2024

Index : Yes/No
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**APPENDIX****Petitioner's witness:**

P.W.1 – Mr.R.Adithya

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Documents marked:

<i>S.No</i>	<i>Particulars</i>	<i>Exhibits</i>
1	Photocopy of the legal heir ship certificate of Mr.Chidambaranathan (Compared with the original)	P1
2	Computer generated death certificate of Mr.C.Rajamani	P2
3	Computer generated legal heir ship certificate of Mr.C.Rajamani	P3
4	Email sent by the Indian Performing Right Society Limited on 14.09.2023 to the first petitioner	P4
5	Certificate under Section 65B of the Indian Evidence Act, 1872.	P5
6	Copy of the paper publication effected in one issue of Tamil Daily "Makkal Kural" dated 16.06.2024	P6
7	Google map search online printout of address proof of the Indian Performing Right Society Limited, Chennai	P7
8	Certificate under Section 65B of the Indian Evidence Act, 1872	P8

17.10.2024**spp**



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