



O.P.No.439 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **21.08.2025**

CORAM

THE HONOURABLE **MR.JUSTICE K.KUMARESH BABU**
O.P.No.439 of 2024

1.Tmt.R.Sundaravalli (Deceased)
2.Mr.R.Krishnan
3.Tmt.Malavika Vinodkumar
4.Mrs.R.Lavanya
(The first petitioner was died)
(Petitioners 2 to 4 are recognized as
Legal Heirs of the deceased 1st petitioner
and the amendment carried out as per order
dated 29.07.2025 in A.No.3536/25
in O.P.No.439/2024)

...Petitioners

PRAYER: Original Petition filed under Section 372 of the Indian Succession Act, 39 of 1925 read with Order XXV Rule 6 of O.S. Rules, praying that a Succession Certificate may be granted to the 2nd petitioner with power to collect securities to receive interest and dividends on and negotiate and transfer the securities specified in the schedules A & B hereto.

(Prayer amended as per order dated 29.07.2025 in A.No.3537 of 2025 in O.P.No.439 of 2024)

For Petitioners : Mr.V.Arvind Rajagopal

ORDER

The petitioners seek Succession Certificate in favour of the 2nd petitioner, in respect of the securities held by Mr.K.Ramu, who died



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intestate on 22.01.2022. The 1st petitioner is the wife of the deceased and the petitioners 2 to 4 were the children of the deceased and the 1st petitioner. The petitioners submit that 1st petitioner, who is the wife of the deceased died and the petitioners 2 to 4 were recorded as her legal heirs vide order dated 29.07.2025 in the Application No.3536 of 2025. After the demise of the 1st petitioner, all necessary amendments were carried out as allowed in the Application No.3537 of 2025 vide order dated 29.07.2025 and the prayer stands amended as above. The petitioners 3 and 4 are represented by their Power of Attorney Agent Mr.R.Krishnan, the 2nd petitioner herein.

2. The petitioners 2 to 4 submit that the deceased was married to the 1st petitioner and had begotten the petitioners 2 to 4 as his children. The 1st petitioner died leaving behind the petitioners 2 to 4 as the legal heirs of the deceased. Therefore the petitioners 2 to 4 contend that as the only surviving legal heirs of the deceased they are entitled to the securities held by the deceased, which are enumerated in the Schedule 'A' and Schedule 'B' of the petition in equal proportions.

3. The second petitioner has been examined as PW1. He has



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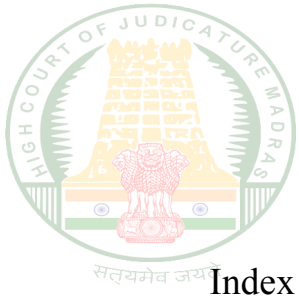
produced 24 documents to support his deposition which are listed as Ex.P1 to Ex.P24 at the foot of the order. The computer generated copy of the death certificate and the legal heirship certificate of the deceased has been marked as Ex.P1 and Ex.P2. The perusal of the Ex.P2, clearly proves that the petitioners 2 to 4 are the legal heirs of the deceased and substantiates the claim made in the petition that the petitioners 2 to 4 are entitled to succeed the securities held by the deceased in equal proportions. The general paper publication has been effected which is marked as Ex.P23 and no objections have been received for the same.

4. The assertions in the petition have been duly proved by adducing oral evidence supported by documents. In these circumstances, the petitioners are entitled to the relief.

5. In view of the above evidence, the Original Petition is allowed granting Succession Certificate in favour of the 2nd petitioner, with the power to collect the securities and receive the interest and dividends on and negotiate and transfer the securities mentioned in the schedule to the petition.

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Petitioner's witness:

P.W.1 - Mr.R.Krishnan

Documents exhibited by the petitioners:

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Computer generated copy of the death certificate of Late.Mr.Ramu who died on 22.01.2022.
Ex.P2	Computer generated copy of the legal heir certificate of Late Mr.Ramu dated 19.05.2022.
Ex.P3	Photocopy of the Aadhaar Card of 1 st petitioner.
Ex.P4	Photocopy of the PAN Card of 1 st petitioner.
Ex.P5	Photocopy of the Aadhaar Card of 2 nd petitioner.(Original is produced, compared and returned to the petitioner's counsel)
Ex.P6	Photocopy of the PAN card of 2 nd petitioner.
Ex.P7	Photocopy of the Aadhaar Card of 3 rd petitioner.
Ex.P8	Photocopy of the PAN Card of 3 rd petitioner.
Ex.P9	Photocopy of the Aadhaar card of 4 th petitioner.
Ex.P10	Photocopy of the PAN Card of 4 th petitioner.
Ex.P11	Computer generated copy of the DEMAT Account statement dated 12.02.2024.
Ex.P12	Photocopy of the physical share certificate issued by BASF India Limited dated 23.03.2010.(Original is produced, compared and returned to the petitioner's counsel)
Ex.P13	Photocopy of the physical share certificate issued by Novartis India Limited dated 01.12.2000.(Original is produced, compared and returned to the petitioner's counsel)
Ex.P14	Photocopy of the physical share certificate issued by Alkyl Amines Chemicals Ltd dated 13.05.2021.(Original is produced, compared and returned to the petitioner's counsel)
Ex.P15	Photocopy of the physical share certificate issued by Larsen and Toubro Ltd dated 09.10.1992.(Original is produced, compared and returned to the petitioner's counsel)



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<i>Exhibits</i>	<i>Documents</i>
Ex.P16	Photocopy of the physical share certificate issued by Wabco-TVS (India) Limited (renamed as ZF Commercial Vehicle Contril Systems India Ltd) dated 07.05.2008.(Original is produced, compared and returned to the petitioner's counsel)
Ex.P17	Photocopy of the physical share certificate issued by Reliance Industries Ltd dated 09.02.1998.(Original is produced, compared and returned to the petitioner's counsel)
Ex.P18	Photocopy of the physical share certificate issued by Godrej Consumer Products Ltd dated 01.09.2006.(Original is produced, compared and returned to the petitioner's counsel)
Ex.P19	Photocopy of the physical share certificate issued by CIBA Specifically Chemicals (India) Ltd dated 07.11.1997.(Original is produced, compared and returned to the petitioner's counsel)
Ex.P20	Photocopy of the physical share certificate issued by syngenta India Ltd dated 01.12.2000(Original is produced, compared and returned to the petitioner's counsel)
Ex.P21	Photocopy of the physical share certificate issued by Reliance Power Ltd dated 12.11.2010.(Original is produced, compared and returned to the petitioner's counsel)
Ex.P22	Photocopy of the Special Power of Attorney dated 28.02.2024.(Original is produced, compared and returned to the petitioner's counsel)
Ex.P23	One issue of paper publication effected in Tamil Daily “Malai Malar” dated 13.11.2024.
Ex.P24	Certificate under Section 63(4)(c) of BSA Act is filed for Exs.P1, P2 & P11.
	Consent Affidavits of P3 and P4 filed stating that they have no objection for grant of succession certificate in favour of the 1 st petitioner, Mrs.R.Sundaravalli who is died.

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K.KUMARESH BABU,J.

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