



WEB COPY

O.P.No.75 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **07.08.2025**

CORAM

THE HONOURABLE **MR.JUSTICE K.KUMARESH BABU**

**O.P.No.75 of 2025**

1. Suresh Kumar Girdharidas Chabria
2. Sunitha Girdharidas
3. Jyoti.G @ Jyothi G
4. D. Ravindrakumar
5. Pooja Ravindrakumar @ R Pooja

... Petitioners

**PRAYER:** Original Petition filed under Sections 372 of the Indian Succession Act, 1925 r/w. Order XXV Rule 6 of the Original Side Rules praying to grant Succession Certificate to the petitioners for 1/4<sup>th</sup> each (i.e., 25%) equal shares with the power to collect the securities and to receive the accumulated bonus, dividends, splits merger and demerger from the company/IEPF authorities and negotiate and transfer the securities/shares as specified in schedule A & B hereunder and also to permit the 1<sup>st</sup> petitioner herein, power to collect the securities and to receive the interests and dividends and negotiate and transfer the indivisible shares from the company & IEPF Authorities as specified in schedule A & B hereunder.

For Petitioners : Mr.S.K.Sivasubramaniam

----

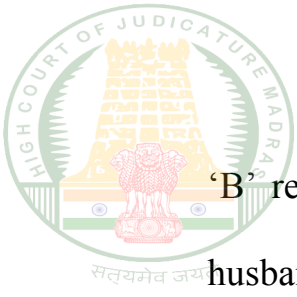
**ORDER**

**WEB COPY** The petitioners seek Succession Certificate in favour of the petitioners

1 to 3 and 5 in respect of the securities held by Mrs.Iswari @ Ishwari @ Ishwari Girdharidas Chabbatta @ Ishwari Girdharidas Virbhandas Samant @ Ishwari Girdharidas Chabria who died intestate on 03.03.2015. The petitioners 1 to 3 are the legal heirs of the deceased whereas the petitioners 4 and 5 are the legal heirs of Late.Mrs.Meenakshi Girdharidas, the predeceased daughter of the deceased.

2. The petitioners submit that the deceased got married to one Mr.Giridhardas Virbhandas who predeceased her on 05.05.2004 and the couple had begotten the petitioners 1 to 3 along with one Mrs.Meenakshi Girdharidas as their children. The petitioners submit that Mrs.Meenakshi Girdharidas, one of the daughters of the deceased had predeceased her on 15.10.1984 and her legal heirs have been impleaded as petitioners 4 and 5 to the petition.

3. The petitioners asserts that the deceased had held certain securities both individually and jointly along with her husband Late.Mr.Giridharidas Virbhandas, which are listed separately under the Schedule 'A' and Schedule



WEB COPY

‘B’ respectively. Upon the demise of Late.Mr.Giridharidas Virbhandas, the husband of the deceased, his share in the securities listed under the Schedule ‘B’ devolved upon his wife, the deceased herein. The petitioners hereby contend that as the legal heirs of the deceased the petitioners 1 to 3 are entitled to 1/4<sup>th</sup> each from the securities and similarly as the legal heirs of Late.Mrs.Meenakshi Girdharidas the petitioners 4 and 5 are jointly entitled to 1/4<sup>th</sup> share from the securities under both the schedules ‘A’ and ‘B’. The 4<sup>th</sup> petitioner further relinquished his rights over the securities listed under both the schedule in favour of his daughter, the 5<sup>th</sup> petitioner herein. Therefore the petitioners contend that the petitioners 1 to 3 along with the 5<sup>th</sup> petitioner are entitled to 1/4<sup>th</sup> each equal shares from the securities specified under both Schedule ‘A’ and Schedule ‘B’.

4. The fifth petitioner has been examined as PW1, she had produced 13 documents to support her deposition which are listed as Ex.P1 to Ex.P13 at the foot of the order. The computer generated death certificate of the deceased and her husband has been marked as Ex.P2 and Ex.P1 respectively. The computer generated legal heirship certificate of the deceased has been marked as Ex.P3. The computer generated death certificate of Late.Mrs.Meenakshi Girdharidas has been marked as Ex.P4 and her legal



WEB COPY

heirship certificate has been marked as Ex.P5. The perusal of the Ex.P3 proves that the petitioners 1 to 3 are the legal heirs of the deceased and it further substantiates that Late.Mrs.Meenakshi Girdharidas is the predeceased daughter of the deceased. Furthermore the perusal of the Ex.P5 unequivocally proves that the petitioners 4 and 5 are the sole legal heirs of the Late.Mrs.Meenakshi Girdharidas. The perusal of both the Ex.P3 and Ex.P5 together substantiates the averments made in the petition, that the petitioners 1 to 3 along with the 5<sup>th</sup> petitioner are entitled to 1/4<sup>th</sup> equal share each from the securities listed under the Schedule 'A' and Schedule 'B'. The general paper publication has been effected which has been marked as Ex.P11 and no objections have been received for the same.

5. 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.

6. In view of the above evidence, the Original Petition is allowed granting Succession Certificate in favour of the petitioners 1 to 3 along with the 5<sup>th</sup> petitioner, with the power to collect the securities and receive the accumulated bonus, dividends, splits, merger and demerger from the company / IEPF authorities and negotiate and transfer the securities and



shares as specified in the Schedule A and B of the petition. Further the 1<sup>st</sup> petitioner is permitted to collect the securities and to receive the interests and dividends and negotiate and transfer the indivisible shares from the company and IEPF Authorities as specified in the Schedule A and B.

**07.08.2025**

dpq

Index :Yes/No

**Petitioners' witness:**

Mrs.Pooja Ravindrakumar @ R.Pooja (PW1)

**Documents exhibited by the petitioners:**

| Exhibits | Documents                                                                                                          |
|----------|--------------------------------------------------------------------------------------------------------------------|
| Ex.P1    | Computer generated copy of the death certificate of Girdharidas Virbahandas who died on 15.05.2004.                |
| Ex.P2    | Computer generated copy of the death certificate of Ishwari Gidharidas Chabria who died on 03.03.2015.             |
| Ex.P3    | Computer generated copy of the legal heirs certificate of Ishwari Girdharidas Chabria issued on 12.02.2023.        |
| Ex.P4    | Photocopy of the death certificate of Meenakshi Girdharidas who died on 15.10.1984.                                |
| Ex.P5    | Computer generated copy of the legal heir certificate of Meenakshi Girdharidas issued on 22.02.2023.               |
| Ex.P6    | Photocopy of the letters from various companies in Schedule A                                                      |
| Ex.P7    | Photocopy of the shares held in Electronic mode vide DPID No.300159 & client ID No.10245965 in Indusind Bank Ltd., |



WEB COPY

O.P.No.75 of



|        |                                                                                                                                                                        |
|--------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Ex.P8  | Photocopy of the letter from various companies mentioned in Schedule B                                                                                                 |
| Ex.P9  | Photocopy of the shares held in electronic form with indusland Bank vide DP ID.IN300159 and client ID10001146 Ishwari Girdharidas jointly with Girdharidas Virbhandas. |
| Ex.P10 | Photocopy of the shares held in electronic form with indusland Bank held DP ID.IN300159 and client ID10001154 Ishwari Girdharidas jointly with Girdharidas Virbhandas. |
| Ex.P11 | One issue of paper publication in Tamil Daily “Malai Murasu”dated 26.04.2025.                                                                                          |
| Ex.P12 | Photocopy of the Aadhar card of the 5 <sup>th</sup> petitioner. (Original is produced, compared and returned to the petitioner's counsel)                              |
| Ex.P13 | Certificate under Section 65B of Indian Evidence Act filed for Exs.P1, P2, P3 & P5.                                                                                    |

07.08.2025

dpq



WEB COPY

O.P.No.75 of



**K. KUMARESH BABU, J.**

dpq

**O.P.No.75 of 2025**

**07.08.2025**