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O.P.No.529 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 09.01.2025

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Original Petition No.529 of 2024

1. Aarati Krishnan,
Aarati Krishnan,
W/o. Krishnan,
Door N0.R22/2 B-3,
Sonex haven apartments,
East Main road, Anna Nagar West Extension,
Chennai-600101.

2. V.Bharathi.
W/o.Venkataraman,
Flat No.5, W736, Srivari Flat,
East Main Road,
(Opp.) Leo School,
Anna Nagar West Extension,
Chennai-600 101.

... Petitioners

PRAYER: Original Petition has been filed under Section 372 of the Indian Succession Act, 1925 read with order XXV Rule 6 of Original Side Rules, prays that a succession certificate may be granted jointly to the petitioners, with power to collect the securities, to receive interest, dividends and negotiate and transfer the securities specified on the schedule hereto.

For Petitioners : Mr.G.K.Sekar



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ORDER

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This original petition has been filed under Section 372 of the Indian Succession Act, 1925 read with Order XXV, Rule 6 of the Original Side Rules, for grant of succession certificate in the respect of securities of Mr.S.Ananthan.

2. Late.S.Ananthan, son of Krishnasamy died on 05.02.2023 at Chennai, leaving behind his two daughters as his surviving Class I legal heirs. His wife and parents pre-deceased him. During his lifetime, late S.Ananthan had acquired investment bonds in certain companies, which are morefully described in the schedule annexed to the petition. On the death of S.Ananthan, his two daughters, who are the petitioners herein sought for transfer of the bonds into their names, since each one of the them is entitled for half share. However, the transfer agent had informed them to obtain succession certificate in order to transfer the bonds, hence the present original petition.

3. To substantiate the claim of succession certificate, the petitioners 1 & 2 relied on and marked 14 documents (Ex.P.1 to Ex.P.14). The following documents have been marked on behalf of the petitioners.



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<i>Exhibits</i>	<i>Documents</i>
Ex.P.1	Photocopy of the bond certificate in REC Limited standing in the name of Mr.S.Ananthan.
Ex.P.2	Photocopy of the bond certificate in National Highways Authority of India standing in the name of Mr.S.Ananthan.
Ex.P.3	Computer generated death certificate of Mrs.Jaya Ananthan.
Ex.P.4	Computer generated death certificate of Mr.Ananthan.
Ex.P.5	Computer generated legal heir ship certificate of Mr.Ananthan.
Ex.P.6	Photocopy of the Aadhaar Card of Mr.Ananthan.
Ex.P.7	Photocopy of the Aadhaar Card of Mrs.Jaya Ananthan.
Ex.P.8	Photocopy of the letter dated 09.01.2024 from Bigshare Services Pvt Ltd addressed to me asking for succession certificate.
Ex.P.9	Computer generated statement of DSP Mutual Fund as on 24.01.2024 standing in the name of Mr.S.Ananthan.
Ex.P.10	Photocopy of my Aadhaar Card.
Ex.P.11	Copy of the paper publication effected in one issue of Tamil Daily "Makkal Kural" dated 20.10.2024.
Ex.P.12	Certificate under Section 65 B of the Indian Evidence Act, 1872.
Ex.P.13	Photocopy of the letter dated 03.01.2024 from KF in Technologies Limited addressed to me asking for succession certificate
Ex.P.14	Photocopy of my Aadhaar Card.

4. The death certificate of S.Ananthan and the legal heirs certificate of Ananthan are marked as Ex.P.4 & Ex.P.5 respectively, which indicate that these two petitioners are the only surviving class I heirs of S.Ananthan. The other Class I heirs, namely, S.Krishnasamy (father), Sellammal (mother) and Jaya Ananthan (wife), pre-deceased Ananthan. The bond certificates, Ex.P.1 & Ex.P.2 indicate that S.Ananthan had nominated his



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wife, Jaya Ananthan. However, Jaya Ananthan pre-deceased Ananthan, and the daughters of S.Ananthan are absolutely entitled to inherit those shares equally.

5. In the light of the above facts, the succession certificate is granted in favour of the petitioners 1 & 2, being the legal heirs of Mr.S.Ananthan, who died intestate, leaving behind the debts and securities morefully mentioned in the schedule to the petition.

6. Accordingly, this ***Original Petition stands Allowed.*** The Succession Certificate is issued in favour of the petitioners 1 & 2 to enable them to collect the securities and to receive the interest, dividends on and negotiate and transfer the securities specified in the schedule hereto. The petitioners are directed to render account once in a year.

09.01.2025

Index :Yes/No.
Internet :Yes/No.
bsm

Petitioner's witness:

P.W.1 – Mrs.Aarati Krishnan.

P.W.2 – Mrs.V.Bharathi.



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Documents marked:

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Dr.G.JAYACHANDRAN,J.

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