



WEB COPY



O.P.No.30 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **13.03.2025**

CORAM

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

**O.P.No.30 of 2024**

Bakul C.Shah

... Petitioner

**PRAYER:** Original Petition filed for Succession Certificate under Section 372 of the Indian Succession Act, 1925 read with under Order XXV Rule 6 of Original Side Rules, prays to grant a Succession Certificate to the petitioner with the power to collect the securities with interest, bonus and dividends on and negotiate and transfer the securities specified in the schedule hereto.

For Petitioner : Mr.Dilip Kumar for  
M/s.Shah & Shah

**ORDER**

The petitioner seeks Succession Certificate in respect of the securities held by Late Gunvanti Chandulal Shah, who died intestate on 08.01.2006. The petitioner is the only son of the deceased. The husband of the deceased predeceased her.



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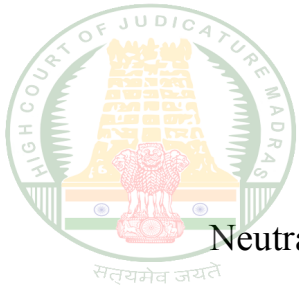
**WEB COPY** 2. The petitioner has examined himself as PW1. He has produced the photocopy of the death certificate of the deceased and her husband as Ex.P1 and Ex.P3. The legal heirship certificate of the deceased as Ex.P2. A perusal of Ex.P2 shows that the petitioner is the only surviving legal heir of the deceased Late Gunvanti Chandulal Shah.

3.The assertions in the petition have been duly proved by adducing oral evidence supported by documents. In these circumstances, the petitioner is entitled to the relief.

4. In view of the above evidence, the Original Petition is allowed granting Succession Certificate in favour of the petitioner, with the power to collect the securities and receive the interest and dividends mentioned in the schedule to the petition. Further, the Registry is directed to return the original share certificates to the petitioner which were marked as Ex.P4.

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Gba  
Index :Yes/No  
Speaking: Yes/ No



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Neutral Citation: Yes/No

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**Petitioner's witness:**

P.W.1 — Mr.Bakul C.Shah

**Documents exhibited by the petitioner:**

| <i><b>Exhibits</b></i> | <i><b>Documents</b></i>                                                                                                            |
|------------------------|------------------------------------------------------------------------------------------------------------------------------------|
| Ex.P1                  | Photocopy of the death certificate of Gunwanti Ben Chandulal Shah dated 06.02.2006 (Original produced compared and returned)       |
| Ex.P2                  | Photocopy of the legal heir certificate of Gunwanti Ben Chandulal Shah dated 31.12.2007. (Original produced compared and returned) |
| Ex.P3                  | Online copy of the Death certificate of Chandulal K.Shah dated 12.06.2019.                                                         |
| Ex.P4                  | Original of the share certificate (Nos.88 shares) series 5 Nos of documents Folio No.033228376, dated 05.02.1987 – 05.02.1998.     |
| Ex.P5                  | Online copy of the Market value of the shares dated 04.07.2023.                                                                    |

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**K.KUMARESH BABU,J.**

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