



O.P.No.854 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: **04.02.2025**

CORAM

THE HONOURABLE **MR.JUSTICE K.KUMARESH BABU**
O.P.No.854 of 2023

Rajendiran

... Petitioner

vs.

1.Mrs.Gomathi

2.Mr.Muthukumaran

3.Mr.Ravichandran

4.Vijayalakshmi

... Respondents

PRAYER: Original Petition filed for Succession Certificate under Part X 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 and to receive the dividends on and negotiable and transfer securities specified in the schedule thereto.

For Petitioner : M/s.P.James Victor Rajkumar

For Respondents : No Appearance



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ORDER

The petitioner seeks Succession Certificate in respect of the securities held by Late.Duraisamy Pillai, who died intestate on 15.11.1990.

2. The petitioner is the son of the deceased Duraisamy Pillai. The respondents are the children of the deceased Duraisamy Pillai and siblings of the petitioner. The petitioner and the respondents are the surviving legal heirs of the deceased Duraisamy Pillai since the wife of the deceased died on 04.10.2017. The respondents who are the other legal heirs of the late.Duraisamy Pillai gave consent to grant a succession certificate in favour of the petitioner. The respondents inspite of service of notice have remained absent and kept themselves away from their proceedings.

3. The petitioner has been examined as PW1. He has produced the death certificates of the late.Duraisamy Pillai and Late. Parvathi Ammal who is the wife of the deceased as ExP1 and ExP4, and the legal heirship certificates of the late.Duraisamy Pillai and Parvathi Ammal as ExP2 and ExP5. A perusal ExP4 and ExP5 shows that the



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petitioner and respondents are the only legal heirs of the deceased
Duraismy Pillai. A paper publication has been made and no objections
have been received.

4. In view of the above evidence, the Original Petition is allowed
granting Succession Certificate in favour of the Petitioner, in respect of
the securities and to receive the dividends on and negotiable and
transfer the securities mentioned in the schedule to the petition.

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Index :Yes/No

Speaking: Yes/ No

Neutral Citation: Yes/No

Petitioner's witness:

P.W.1 — Mr.D.Rajendran



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Documents exhibited by the petitioner:

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Original death certificate of Mr.Duraisamy Pillai
Ex.P2	Computer generated legal heir certificate of Mr.Duraisamy Pillai
Ex.P3	Photocopy of the letter dated 03.11.2016 sent by the petitioner and 5 other addressed to M/s.Karvy Computer Share (P) Ltd with regard to transmission of shares held by Mr.Manickam Duraisamy Pillai. (Compared with the original)
Ex.P4	Photocopy of the death certificate of Mrs.Parvathi Ammal (Compared with the original)
Ex.P5	Photocopy of the legal heirship certificate of Mrs.Parvathi Ammal (Compared with the original)
Ex.P6	Computer generated statement of holding dated 07.11.2016 issued by Hindustan Unilever Ltd in respect of shares held by Mr.Manickam Duraisamy Pillai
Ex.P7	Photocopy of the letter dated 05.07.2023 issued by Kfin Technologies Limited addressed to the petitioner with regard to transmission of shares held by Mr.Manickam Duraisamy Pillai.
Ex.P8	Certificate under Section 65B of the Indian Evidence Act, 1872.
Ex.P9	Copy of the paper publication effected in one issue of Tamil daily "Makkal Kural" dated 01.10.2024.

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