



O.P.No.120 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED: 04.03.2025

CORAM

THE HONOURABLE **MR.JUSTICE K.KUMARESH BABU**
O.P.No.120 of 2024

Vinay Sethia

... Petitioner

vs.

Vijayakumari Sethia

... Respondent

PRAYER: Original Petition filed for Succession Certificate under Section 372 of the Indian Succession Act read with Order XXV Rule 6 of Original Side Rules, prays that a Succession Certificate may be granted to the petitioner with the power to collect the securities with interest and dividend and negotiate and transfer the securities specified in the schedule hereto.

For Petitioner : Mr.A.Ganesh

ORDER

The petitioner seeks Succession Certificate in respect of the securities held by Late Suganchand Sethia, who died intestate on 26.12.2000. The petitioner is the grandson and the respondent is the daughter in law of the deceased through his deceased son S.Devichand Sethi. The wife of the deceased predeceased him.

2. The petitioner has examined himself as PW1. He has produced the



O.P.No.120 of 2024

death certificates of the deceased and his son as Ex.P1 and Ex.P3. The legal heirship certificate of the deceased and his son as Ex.P2 and Ex.P4. A perusal of Ex.P2 and Ex.P4, shows that the petitioner and the respondent are the son and wife of the predeceased son of the deceased. The petitioner and the respondent are the only surviving legal heirs of the deceased. A paper publication has been made and no objections have been received. The respondent inspite of service of notice on her, had kept herself away from this proceeding.

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.

04.03.2025

Gba
Index :Yes/No
Speaking: Yes/ No



Neutral Citation: Yes/No

Petitioner's witness:

P.W.1 — Mr.Vinay Sethia

Documents exhibited by the petitioner:

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Photocopy of the death certificate of Mr.Sugan Chand Sethia (Compared with the original)
Ex.P2	Photocopy of the legal heirship certificate of Mr.Sugan Chand Sethia (Compared with the original)
Ex.P3	Computer generated death certificate of Mr.S.Devichand Sethia
Ex.P4	Computer generated legal heirship certificate of Mr.S.Devichand Sethia
Ex.P5	Photocopy of the share certificate issued by Kanchi Karpooram Limited standing in the name of Mr.Sugan Chand (Compared with the original)
Ex.P6	(Series 25 Nos) are the photocopies of the share certificates issued by Kanchi Karpooram Limited standing in the name of Mr.Sugan Chand (Compared with the originals)
Ex.P7	Computer generated report showing the market value of the shares
Ex.P8	Copy of the paper publication effected in one issue of Tamil Daily "Makkal Kural" dated 12.07.2024.
Ex.P9	Certificate under Section 65B of the Indian Evidence Act, 1872
Ex.P10	E-mail communication between PW-1 and M/s.Kanchi Karpooram Ltd with regard to transfer of shares (This document is marked subject to its admissibility, proof and relevancy)
Ex.P11	(Series 14 Nos) are the web screen shots of communication between PW-1 and Cameo India with regard to transfer of shares (This document is marked subject to its admissibility,



O.P.No.120 of 2024

<i>Exhibits</i>	<i>Documents</i>
	proof and relevancy)
Ex.P12	Web screen shot which shows the procedure to transfer the shares and the list of documents to be submitted for transmission (This document is marked subject to its admissibility, proof and relevancy)
Ex.P13	Screenshot of the market value of the shares from Google dated 13.12.2024 (This document is marked subject to its admissibility, proof and relevancy)
Ex.P14	Certificate under Section 65B of the Indian Evidence Act, 1872

Gba

04.03.2025



WEB COPY



O.P.No.120 of 2024

K.KUMARESH BABU,J.

Gba

O.P.No.120 of 2024

04.03.2025