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O.P. No.96 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.09.2025

CORAM :

THE HONOURABLE MR.JUSTICE P.DHANABAL

O.P. No.96 of 2024

1. B. Shreelakshmi W/o. Late B. Lalitanand Sharma
2. B.V. Sumana W/o. Srinivas
3. B.V. Sujana D/o. Late B. Lalitanand Sharma ... Petitioners

VS.

B.V.R. Krishna S/o. Late B. Lalitanand Sharma ... Respondent

PRAYER: Original Petition is filed under Section 372 of the Indian Succession Act of 1925 read with Order XXV Rule 6 of the Original Side Rules praying to grant Succession Certificate to the petitioners with power to collect their securities and to receive the interest and dividends on and negotiate and transfer the securities specified in the 'B' Schedule.

For Petitioners : Mr. T. Sai Krishnan

For Respondent : No appearance



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ORDER

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This petition has been filed by the petitioners praying to grant Succession Certificate under Section 372 of the Indian Succession Act read with Order XXV Rule 6 of the Original Side Rules.

2. According to the petitioners, one B. Lalitanand Sharma died on 02.05.2004 at his ordinary residence at No.5, Janakiram Colony Extension, Arumbakkam, Chennai. He died intestate. The petitioners and the respondent are surviving as his only next of kin to him. They are the legal representatives of the deceased. The 1st petitioner is the wife of the deceased, the 2nd and 3rd petitioners are the daughters and the respondent is the son of the deceased. Since the respondent refused to join the petitioners in filing this petition, he has been shown as a respondent. During the life time of the deceased B. Lalitanand Sharma, he created some assets out of his income and purchased some shares mentioned in the schedule. The value of the above said shares is at Rs.1,09,25,543.5. Since the petitioners and the respondent

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are the only legal heirs of the assets and in order to get those amount of share certificates, the Succession Certificate is necessary to them. Therefore, they have filed this petition.

3. After filing of this Original Petition, the petitioners were directed to effect paper publication and the same was also effected. No any objection was received from any party. Thereafter, the matter was posted for examination of witnesses and the evidence was recorded. On the side of the petitioners, they examined PW1 and marked Ex.P.1 to Ex.P.21. The respondent was set exparte and he has not contested the case.

4. This Court also perused the entire documents including the evidences. On a careful perusal of the evidence of PW1 and the documents Ex.P.1 to Ex.P.21, they reveal that the petitioners and the respondent are the legal heirs of the deceased B. Lalitanand Sharma and the deceased purchased some share certificates mentioned in the Schedule of the petition and he died intestate, thereby, they are entitled to get the share certificates. Each of the petitioners and the respondent are equally entitled to the share value. Both

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the parties are equully entitled to 1/4 share over the value of the share certificates. Therefore, they are entitled to the Succession Certificate.

5. In view of the same, this Original Petition is *allowed*. *The petitioners and the respondent are each entitled to 1/4 share of the value of the share certificates and* a direction for grant of Succession Certificate in favour of the petitioners with power to collect their securities and to receive the interest and dividends on and negotiate and transfer the securities specified in the 'B' Schedule,as applicable till the date of withdrawal, is issued.

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Index : Yes/No

Speaking Order : Yes/No

mjs

List of Petitioner side Witnesses:

PW1 : Mrs. B. Sreelakshmi



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List of Petitioner side Documents:

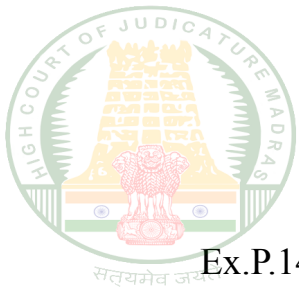
- Ex.P.1. : Photocopy of the Death Certificate of Late Mr. B. Lalitanand Sharma
- Ex.P.2. : Photocopy of the Share Certificate issued by KEC International Ltd., standing in the names of Mr. B. Lalitanand Sharma Banda and Mrs. B. Sreelakshmi Banda.
- Ex.P.3. : Photocopy of the Share Certificate issued by Beardsell Ltd., standing in the names of Mr. B. Lalitanand Sharma.
- Ex.P.4. : Photocopy of the Share Certificate issued by Talbros Engineering Ltd., standing in the names of Mr. B. Lalitanand Sharma.
- Ex.P.5. : Photocopy of the letter dated 27.02.2017 sent by Tolbros Automotive Components Ltd., to Mr. B. Lalitanand Sharma with regard to transfer of shares standing in the name of Mr. B. Lalitanand Sharma.
- Ex.P.6. : Photocopy of the letter dated 17.10.2017 sent by Tolbros Automotive Components Ltd., to Mr. B. Lalitanand Sharma with regard to issue of bonus shares standing in the name of Mr. B. Lalitanand Sharma.
- Ex.P.7. : Photocopy of the letter dated 25.03.2019 sent by q Talbros Automotive Components Ltd to PW1.



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- Ex.P.8. : Photocopy of the Letter dated 13.05.2019 sent by Karvy Fintech Pvt Ltd., (Tube Investments of India and TI Financial Holdings Ltd) to PW1 with regard to issuance of duplicate shares held by Mr. B. Lalitanand Sharma.
- Ex.P.9. : Photocopy of the letter dated 05.02.2021 sent by Integrated Registry Management Services Pvt. Ltd., (Ador Fontech Ltd) to Mr. B. Lalitanand Sharma.
- Ex.P.10. : Photocopy of the Letter dated 29.09.2022 sent by TSR Consultants Pvt. Ltd to PW1 asking for succession certificate from competent Court of law.
- Ex.P.11. : Photocopy of the Letter dated 08.03.2019 sent by PW1 to the Manager Karvy Financial Cap Chennai with regard to issuance of duplicate share certificates held by Mr. B. Lalitanand Sharma.
- Ex.P.12. : Photocopy of the letter dated 12.03.2019 sent by PW1 to the Manager Karvy Financial Cap Chennai (Talbro's Automotive Components Ltd, Hyderabad) with regard to issuance of duplicate share certificates held by Mr. B. Lalitanand Sharma.
- Ex.P.13. : Photocopy of the Letter dated 26.08.2022 sent by the petitioners to the Company Secretary, Siemens Ltd., for issuance of duplicate share certificate held by Mr. B. Lalitanand Sharma.



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Ex.P.14.

: Photocopy of the Letter dated 02.09.2022 sent by Datamatics Business Solutions to PW1 asking for succession certificate from competent Court of law.

Ex.P.15

: Photocopy of the Letter dated 19.09.2022 sent by Aarvee Denims and Exports Ltd., addressed PW1 in respect of shares held by Mr. B. Lalitanand Sharma.

Ex.P.16

(series 2 nos)

: Original Letter dated 08.05.2017 along with the original share certificates bearing Certificate Nos.223 and 2741 issued by Beardsell Ltd., in the name of Mr. B. Lalitanand Sharma.

Ex.P.17. series (3 Nos):

Original Dividends issued by Rane Madras Ltd., to Mr. B. Lalitanand Sharma.

Ex.P.18.

: Original Letter dated 15.03.2019 issued by Rane Madras Ltd., to PW1 with regard to transmission of shares and issue of duplicate shares standing in the name of Mr. B. Lalitanand Sharma.

Ex.P.19.

: Original legal heirship certificate of Mr. B. Lalitanand Sharma dated 12.05.2022.

Ex.P.20

: Original Letter dated 21.09.2022 issued by Maheswari Datamatics Pvt Ltd., to PW1 with regard to issue of duplicate shares and transmission of shares standing in the name of Mr. B. Lalitanand Sharma.



Exp.21.

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: Copy of paper publication effected in one issue of
Tamil Daily "Malai Malar" dated 03.08.2024.

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