



WEB COPY

O.P.No.485 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **25.06.2025**

CORAM

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

O.P.No.485 of 2024

1.Mr.S.Srikanth

2.Mrs.Jayashri Upendiran

...Petitioners

PRAYER: Original Petition filed under Section 372 of Indian Succession Act read with Order XXV Rule 6 of Madras High Court Original Side Rules, prays that a Succession Certificate may be granted to the 1st petitioner with power to collect the dividends on and negotiate and transfer the securities specified in the schedule hereto.

For Petitioner : Mr.C.P.R.Kamaraj

ORDER

The petitioners seek Succession Certificate in favour of the 1st petitioner in respect of the securities held by Late Mr.B.Subbachar, who died intestate on 02.02.2011. The petitioners submit that the 1st petitioner is the son and the 2nd petitioner is the daughter of the deceased. The petitioners are only legal heirs of the deceased.

2. The first petitioner has been examined as PW1, he had produced 4



documents to support his deposition which are listed as Ex.P1 to Ex.P4 at the foot of the order. The computer generated death certificate of the deceased has been marked as Ex.P1. The legal heirship certificate of the deceased has been marked as Ex.P2. A paper publication has been effected which has been marked as Ex.P4 and no objections have been received. The perusal of Ex.P2 clearly proves that the petitioners are the only legal heirs of the deceased.

3. The assertions in the petition have been duly proved by adducing oral evidence supported by documents. In these circumstances, the 1st 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 1st petitioner, with the power to collect the securities and collect the dividends on and negotiate and transfer the securities mentioned in the schedule to the petition.

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Index :Yes/No

Petitioner's witness:
P.W.1 – Mr.S.Srikanth



Documents exhibited by the petitioners:

Exhibits	Documents
Ex.P1	Computer generated death certificate of Mr.Subbachar along with the affidavit under Section 65 B of the Indian Evidence Act, 1872.
Ex.P2	Photocopy of the legalheirship certificate of Mr.Subbachar (Compared with original)
Ex.P3	Photocopy of the share certificate of United Breweries Ltd bearing Registered Folio No.US035040 standing in the name of Mr.B.Subba Char (Compared with the original)
Ex.P4	Copy of paper publication effected in one issue of Tamil Daily “Makkal Kural” dated 24.10.2024.

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