



O.P. No. 51 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **15.09.2025**

CORAM :

THE HONOURABLE MR.JUSTICE P.DHANABAL

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1. Shyamalal Kishore Lal

2. Perna Kumar Shreff

... Petitioners

PRAYER: Original Petition is filed under Section 372 of the Indian Succession Act of 1925 read with Order XXV Rule 6 of Madras High Court Original Side Rules, praying to grant Succession Certificate to the first petitioner with power to collect and transfer the securities to their names and to receive the interest and dividends on and negotiate and transfer the securities thereon specified in the Schedule hereunder.

For Petitioners : Mr. T.Natarajan
For M/s.Aiyar & Dolia

ORDER

This Original Petition has been filed by the petitioners under Section 372 of the Indian Succession Act of 1925 read with Order XXV Rule 6 of Madras High Court Original Side Rules, praying to grant Succession Certificate to the first petitioner with power to collect and transfer the



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securities to their names and to receive the interest and dividends on and

negotiate and transfer the securities thereon specified in the Schedule

hereunder.

2. According to the petitioners, the father of the petitioners, namely, B.Shamlal, died on 25.03.2019 leaving behind the petitioners herein as his legal heirs to succeed his estate. During his life time, he purchased 2000 shares from M/s.Sarda Energy and Minerals Limited to the value of Rs.9,07,900/-. Each of the petitioners are entitled to 1/2 share equally. The 2nd petitioner has filed consent affidavit to issue succession certificate to the first petitioner. Since the petitioners are the only legal heirs of the deceased B.Shamlal, in order to get those 2000 shares, the succession certificate is necessary to the petitioners. 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 on 29.04.2025. No

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any objection was received from any party. Thereafter, the matter was posted for examination of witnesses and the evidence was recorded.

4. On the side of the petitioners, the 1st petitioner, namely, Shyamalal Kishore Lal, was examined as PW1 and marked Ex.P.1 to Ex.P7.

5. 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.P7, they revealed that the petitioners are the legal heirs of the deceased B.Shamlal. While he was alive, he purchased 2000 shares from M/s.Sarda Energy and Minerals Limited as on 31.10.2024 the value of shares is Rs.9,07,900/-. As per Ex.P2 these petitioners are the legal heirs of deceased shares. The petitioners are entitled to 1/2 shares equally. There is no rival claim against the aforesaid 2000 shares. Therefore, the petitioners each are entitled to get 1/2 shares of the properties and also the 2nd petitioner has filed consent affidavit to issue the succession certificate in favour of the 1st

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petitioner. Therefore, the 1st petitioner is entitled to get succession certificate

as prayed for.

6. In view of the above, this Original Petition is allowed. The petitioners each are entitled to 1/2 share equally to the value of 2000 shares from M/s.Sarda Energy and Minerals Limited, and a direction for grant of Succession Certificate in favour of the 1st petitioner to collect and transfer the securities to their names and to receive the interest and dividends on and negotiate and transfer the securities thereon specified in the Schedule hereunder, as applicable till the date of withdrawal, is issued.

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Index : Yes/No
Speaking Order : Yes/No
MSM



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List of Petitioner side Witnesses:

WEB COPY

PW1 : Shyamlal Kishore Lal

List of Petitioner side Documents:

Exhibit No.	Date	Description of Documents
Ex.P.1.	02.08.2023	Photocopy of the Death Certificate of B.Shamlal
Ex.P.2	11.06.2019	Photocopy of the legal heir certificate of B.Shamlal
Ex.P.3	04.08.2023	Share Certificate issued by Sarda Energy and Minerals Limited
Ex.P.4.	--	Photocopy of the Aadhar Card of Shyamlal Kishore Lal
Ex.P.5	--	Photocopy of the Aadhar Card of Prerna Kumar Shroff
Ex.P.6	--	Consent Affidavit of Prerna Kumar Shroff
Ex.P7	29.04.2025	A copy of the paper publication issued in Tamil Daily Makkal Kural



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P.DHANABAL.,J

MSM

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