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OP No. 357 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-06-2026

CORAM

THE HON'BLE DR.JUSTICE A.D.MARIA CLETE

OP No. 357 of 2025

Ajith Kumar Dey
S/o. Dilip Kumar Dey,
Overseas Citizen of India bearing card number
A4443185.
Residing at
22 Embassy Court,
Great neck, New York, USA 11021.
Now come down to India, staying at
The Palomar by Cross Roads Hotel, 4A2, East
Coast Road, Akkarai, Chennai 600 119.

..Petitioner(s)

Vs

No Respondent
Nil

..Respondent(s)

Prayer : Original Petition filed under section 372 of the Indian Succession Act for a Succession Certificate may be granted to the petitioner with power to collect the debts and to receive the interest and dividends on and negotiate and transfer the securities specified in the Schedule hereto. Net Amount of Rs.75,41,450/- Suc duty of Rs.25,000/- paid on 19.02.2025

For Petitioner(s):

Mr. G.Balasubramanian
M/s.Leela And Co

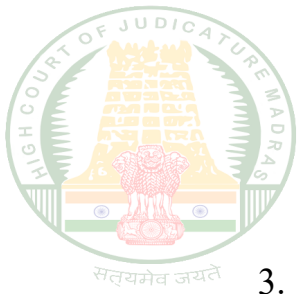


ORDER

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This petition is filed under Section 372 of the Indian Succession Act, 1925, for the grant of a Succession Certificate to the petitioner in respect of the securities (shares) standing in the name of the late Miss Monica Dey.

2. The case of the petitioner is that the petitioner, Mr. Ajit Kumar Dey, an Overseas Citizen of India residing in the United States of America, is the only son of the late Mr. Dilip Kumar Dey and Mrs. Shusila Dey. His paternal grandfather, the late Dr. Biman Behari Dey (Dr. B.B. Dey), formerly Professor of Chemistry, Presidency College, Madras, had three children — a son, Dilip Kumar Dey (the petitioner's father), and two daughters, Monica Dey and Meera Ahmed. Miss Monica Dey remained unmarried and died issueless and intestate on 19.11.2011 at Santhome High Road, Chennai. The petitioner's father, Dilip Kumar Dey, had earlier died on 05.08.1994; the parents of the deceased had pre-deceased her; and her sister, Meera Ahmed, had also pre-deceased her on 09.03.2003, leaving no issue. The petitioner therefore claims to be the sole surviving heir of Monica Dey, entitled, as an heir of her father under Section 15 read with Section 16 of the Hindu Succession Act, 1956, to succeed to her estate.



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3. During her lifetime, Monica Dey held shares in several companies, the certificates standing in her individual name. These securities, valued as on 29.01.2024 by the Chartered Accountants, M/s. Jamuna Rani & Associates, are set out in the Schedule below and total Rs. 75,41,450/-. The petitioner seeks a Succession Certificate to collect the debts and to receive the dividends and interest on, and to negotiate and transfer, these securities.

4. The petition was admitted, and the citation having been ordered, a general citation was published in the Tamil daily “Makkal Kural” dated 12.09.2025. No caveat or objection has been filed, and no person has come forward to contest the petition.

5. Before the learned Master, the petitioner examined himself as P.W.1, his chief examination being filed by way of proof affidavit. He marked Ex.P1, his Overseas Citizen of India card; Ex.P2, his United States passport; Ex.P3, the death certificate of Meera Ahmed; Ex.P4, the death certificate of Monica Dey; Ex.P5, the legal heirship certificate of Dilip Kumar Dey; Ex.P6 (series), the share certificates standing in the name of Monica Dey; Ex.P7, the certificate under Section 63(4) of the Bharatiya Sakshya Adhiniyam; and Ex.P8, the paper

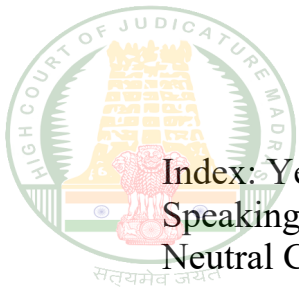


publication of the citation. On 26.02.2026, he was further examined through video conference and marked Ex.P9 and Ex.P10, the certified copies of the sale deeds dated 17.12.1981 and 12.11.1981.

6. On a consideration of the oral and documentary evidence, this court satisfied that Monica Dey died intestate on 19.11.2011 leaving no husband and no issue; that her parents, her brother (the petitioner's father) and her sister Meera Ahmed had all pre-deceased her; and that the petitioner, being the son of her pre-deceased brother, is an heir of her father and the sole surviving heir entitled to succeed to her estate under Section 15 of the Hindu Succession Act, 1956. The securities described in the Schedule are proved to have stood in the name of the deceased. The citation having been duly published and no rival claimant having appeared, the petitioner is entitled to the grant of a Succession Certificate in respect of those securities.

7. In the result, the Original Petition is allowed. A Succession Certificate shall be granted to the petitioner, Mr. Ajit Kumar Dey, in respect of the securities set out in the Schedule below, with power to receive the dividends and interest thereon and to negotiate and transfer the same .

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Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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Petitioner Side Witnesses :

P.W.1 Mr.Ajith Kumar Deyt

Petitioner Side Documents :

- Ex.P.1 : Copy of petitioner's Indian Origin Card
- Ex.P.2 : Copy of pass of the petitioner issued by United State of America
- Ex.P.3 : Copy of the death certificate of Meera Ahamed
- Ex.P.4 : Copy of computer generated death certificate of Monica Dey
- Ex.P.5 : Copy of computer generated legal heirship certificate of Dilip Kumar Dey
- Ex.P.6 : Copies of the share certificates standing in the name of Monica Dey
- Ex.P.7 : Certificate under Section 63 [4] [C] of BSA
- Ex.P.8 : Copy of Paper Publication effected in Tamil Daily 'Malai Murasu' dated 28.04.2025

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DR.A.D.MARIA CLETE, J.

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