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O.P.No.341 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-04-2026

CORAM

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

OP No. 341 of 2025

1.Mrs.Manjula Surender
W/o.Late B.Surender
New No.7 old No.4, Gajapathy Road,
Kilpauk,
Chennai 600 010

2.Ms.Supriya Surender,
D/o.Late B.Surender,
New No.7 old No.4, Gajapathy Road,
Kilpauk,
Chennai 600 010

3.Ms.Shwetha Surender
D/o.Late B.Surender,
Flat 506, Hive House,
18, Capital interchange way,
TW80SL, London.

Represented by Power agent,
Mrs.Manjula Surender
New No.7 Old No.4, Gajapathy Road,
Kilpauk
Chennai 600 010.

..Petitioner(s)

Vs

No Respondent
Nil

..Respondent(s)



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PRAYER: that a succession certificate may be granted to the 1st petitioner with power to collect the securities, shares and to receive the interest and dividends on and negotiate and transfer the securities and shares specified in the schedule hereto.

For Petitioner(s): Mr.M.Tharankumar for Mr.A.K.Samy.

For Respondent(s): Nil

ORDER

This Original Petition has been filed under Section 372 of the Indian Succession Act, 1925, read with Order XXV Rule 6 of the Original Side Rules, seeking grant of a succession certificate in respect of the securities described in the schedule to the petition, standing in the name of late B. Surender, who is stated to have died intestate.

2. The case of the petitioners is that late B. Surender died on 04.03.2012 at Chennai and that he ordinarily resided within the jurisdiction of this Court. According to the petitioner, the deceased left behind as his only Class I legal heirs his widow, namely the first petitioner, and his two daughters, namely the second and third petitioners. The third petitioner, who is residing abroad, is represented by the first petitioner as her power agent. The petitioner further states that there are no respondents, since all the legal heirs of the deceased have been arrayed as petitioners.

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3. The petitioners have further stated that the deceased died intestate; that due and diligent search was made for any Will, but none was found; that the original share certificates relating to the securities in question were lost; and that, therefore, they have relied upon the death certificate, legal heirship certificate, complaint regarding loss of documents, dividend warrants, company communications, folio particulars and other connected records to establish the holdings and to enable transmission and issue of duplicate certificates by the concerned companies. The petition also states that there is no impediment under Section 370 of the Act to the grant of the certificate.

4. The schedule to the petition sets out 28 securities / folios standing in the name of the deceased in various companies, together with their folio particulars and market value. The schedule includes holdings in, among others, Carol Info Services Limited, Deepak Fertilizers and Petrochemical Corporation Limited, Dr. Agarwals Eye Hospital Ltd., Finolex Industries Limited, Gulf Oil Corporation / Gulf Oil Lubricants India Limited, Hindustan Unilever Limited, ITC Limited, Lakshmi Electrical Control Systems Limited, Lumax Industries Limited, Mercantile Ventures Limited, Nagarjuna Fertilizers and Chemicals Limited, Nestle India Limited, Peirce Leslie India Limited, Reliance Communication Limited,



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Reliance Industries Limited, Saregama India Limited, South India Corporation (Agencies) Limited, Sri Lakshmi Saraswathi Textiles (Arni) Limited, Tata Consumer Products Limited, Tata Power Company Limited, Tuticorin Alkali Chemicals and Fertilizers Limited, and TVS Srichakra Limited. The schedule total is shown at about Rs.5,61,46,169/-.

5. Before the learned Master, P.W.1 Mrs. Manjula Surender, the first petitioner, was examined and, Exs.P1 to P58 were marked. Exs.P1 to P7 relate to the Aadhaar card of the first petitioner, death certificate of late B. Surender, legal heirship certificate, passport, complaint dated 01.07.2024 regarding loss of documents, and the declarations of the second and third petitioners. Exs.P8 to P55 are the company-wise dividend warrants, share details, share certificates and communications relating to the securities mentioned in the schedule. Ex. P56 is the General Power of Attorney of the third petitioner, Shwetha Surender. Ex.P57 is the paper publication effected in one issue of Tamil daily “Makkal Kural” dated 13.09.2025. Ex.P58 is the certificate under Section 63(4)(c) of the Bharatiya Sakshya Adhiniyam.



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6. The petition itself states that the deceased left behind only the present three petitioners as his surviving Class I heirs, namely his widow and two daughters. It also states that the parents of the deceased had predeceased him. The second and third petitioners have expressed no objection to transfer of the shares in favour of the first petitioner. The consent affidavits of the second and third petitioners have been filed.

7. In proceedings under Section 372 of the Indian Succession Act, the enquiry is summary in nature. The Court is only required to be satisfied, on a prima facie consideration, as to who has the best entitlement to represent the estate of the deceased for the limited purpose of collecting, receiving or realising the debts and securities.

8. In the present case, the materials on record establish, to the extent necessary for these summary proceedings, the death of late B. Surender, the relationship of the petitioners to the deceased as his widow and daughters, the fact that the securities described in the schedule stood in the name of the deceased under the folios and certificates referred to in the schedule and supporting documents, and the fact that the second and third petitioners have no objection to grant of the



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certificate in favour of the first petitioner. There is no rival claimant before Court.

No caveat or opposition is shown on record.

9. The fact that the original share certificates are stated to have been lost does not defeat the claim for grant of succession certificate. On the contrary, the company communications produced by the petitioners show that the registrars / companies have required succession-related documentation, legal heirship materials, indemnities, affidavits and transmission documents for issue of duplicate certificates and for transmission of the securities. Therefore, the present petition is not only maintainable, but also necessary for enabling the legal heirs to realise and regularise the securities left by the deceased.

10. On the present case, this Court is satisfied that the petitioners have established that late B. Surender died intestate, that the petitioners are his legal heirs, and that the first petitioner, Mrs. Manjula Surender, is entitled to represent the estate for the limited purpose of collecting, receiving, negotiating, realising and effecting transmission of the securities more fully described in the schedule to the petition.



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11. Accordingly, this Original Petition is allowed.

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12. There shall be a Succession Certificate in favour of the first petitioner, Mrs. Manjula Surender, in respect of the securities described in the schedule to the petition in O.P. No.341 of 2025, with authority to collect, receive, negotiate, realise, and take all necessary steps for transmission, duplicate issuance and consequential regularisation of the said securities in accordance with law, as applicable till the date of withdrawal, is issued. No costs. Consequently, connected applications, if any stand closed.

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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List of Witnesses examined on the side of the Petitioner:

PW1 – Mrs.Manjula Surender.

List of Documents marked on the side of the Petitioner:

Exhibits	Description
Ex.P.1	Photocopy of PW1's Aadhar Card (compared with the original)

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- Ex.P.2 Computer generated death certificate of Mr.B.Surender along with the certificate under section 63 (4)(C) of BSA.
- Ex.P.3 Photocopy of the legal heirship certificate of Mr.B.Surender (compared with the original)
- Ex.P.4 Photocopy of the Passport of Mr.B.Surender (compared with the original)
- Ex.P.5 Downloaded copy of the complaint dated 01.07.2024
- Ex.P.6 Declaration of Ms.Supriya Surender dated 24.06.2024
- Ex.P.7 Declaration of Ms.Shwetha Surender dated 21.08.2023
- Ex.P.8 Photocopy of the dividend warrant of Carol Info Services Limited bearing No.11374 (compared with the original)
- Ex.P.9 Photocopy of the communication containing share details of Carol Info Services Limited dated 15.12.2023 (compared with the original)
- Ex.P.10 Photocopy of the dividend warrant of Deepak Fertilizers and Petrochemical Corporation Limited bearing No.1400669 (compared with the original)
- Ex.P.11 Photocopy of the communication containing share details of Deepak Fertilizers and Petrochemical Corporation Limited dated 13.09.2023
- Ex.P.12 Photocopy of the dividend warrant of Dr.Agarwals Eye Hospital Ltd., dated 23.08.2013 (compared with the original)
- Ex.P.13 Photocopy of the communication containing share details of Dr.Agarwals Eye Hospital Ltd., dated 25.10.2023 (compared with the original)
- Ex.P.14 Photocopy of the dividend warrant of Finolex Industries Limited bearing No.1415847 (compared with the original)
- Ex.P.15 Photocopy of the communication containing share split of Finolex Industries Limited dated 20.04.2021
- Ex.P.16 Downloaded copy of the communication containing share details of GOCL/Gulf Oil Corporation and Gulf Oil lubricants India Limited, dated 25.06.2024
- Ex.P.17 Photocopy of the dividend warrant of Hindustan Unilever Limited bearing No.19008671 (compared with the original)
- Ex.P.18 Downloaded copy of the communication containing share details of Hindustan Unilever Limited, dated 29.09.2023.
- Ex.P.19 Photocopy of the dividend warrant of Hindustan Unilever Limited bearing No.19008670 (compared with the original)
- Ex.P.20 Photocopy of the communication containing share details of Hindustan Unilever Limited, dated 03.10.2023



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- Ex.P.21 Photocopy of the dividend warrant of ITC Limited bearing No.35346 (compared with the original)
- Ex.P.22 Photocopy of the Demand Draft for dividend warrant of ITC Limited bearing No.35346 (compared with the original)
- Ex.P.23 Downloaded copy of the communication containing share details in ITC limited, dated 12.09.2023.
- Ex.P.24 Photocopy of the dividend warrant of Lakshmi Electrical Control Systems Limited, bearing No.1077 (compared with the original)
- Ex.P.25 Photocopy of the communication containing share details of Lakshmi Electrical Control Systems Limited, dated 21.09.2023(compared with the original)
- Ex.P.26 Photocopy of the dividend warrant of Lumax Industries Limited bearing No.368328 (compared with the original)
- Ex.P.27 Photocopy of the communication containing share details of Lumax Industries Limited, bearing client ID No. B 001007, dated 12.09.2023
- Ex.P.28 Photocopy of the dividend warrant of Lumax Industries Limited bearing No.368329 (compared with the original)
- Ex.P.29 Photocopy of the communication containing share details of Lumax Industries Limited, bearing client ID No. B 001098, dated 12.09.2023
- Ex.P.30 Photocopy of the postal ballot form of Mercantile Ventures Limited, bearing client ID No. 55637 (compared with the original)
- Ex.P.31 Photocopy of the postal ballot form of Mercantile Ventures Limited, bearing client ID No. 56342 (compared with the original)
- Ex.P.32 Photocopy of the communication containing share details of Mercantile Ventures Limited, dated 08.09.2023(compared with the original)
- Ex.P.33 Downloaded copy of the communication containing share details of Nagarjuna Fertilizers and Chemicals Limited, dated 26.10.2023.
- Ex.P.34 Photocopy of the dividend warrant of Nestle India Limited, bearing No.194607 (compared with the original)
- Ex.P.35 Photocopy of the communication containing share details of Nestle India Limited dated 07.09.2023 (compared with the original)
- Ex.P.36 Photocopy of the share certificate of Mr.Bandi Surendra Naidu bearing No. 934005 issued by Peirce Leslie India Limited.
- Ex.P.37 Photocopy of the share certificate of Mr.B.Surender bearing No.975799 issued by Peirce Leslie India Limited.
- Ex.P.38 Photocopy of the communication containing share details of Peirce Leslie India Limited, dated 02.01.2024.
- Ex.P.39 Photocopy of the dividend warrant of Reliance Communication limited,



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bearing No.607512.

- Ex.P.40 Photocopy of the communication containing share details of Reliance communication Limited, dated 16.11.2023.
- Ex.P.41 Photocopy of the dividend warrant of Reliance communication limited, bearing No.220055490 (compared with the original)
- Ex.P.42 Photocopy of the communication containing share details of Reliance communication limited, dated 12.09.2023 (compared with the original)
- Ex.P.43 Photocopy of the communication containing share details of Saregama India Limited, dated 14.11.2023 (compared with the original)
- Ex.P.44 Photocopy of the share certificate of Mr.Surender B, bearing No.157169 issued by South India Corporation (Agencies) Limited.
- Ex.P.45 Downloaded copy of the communication containing share details of share capital of South India Corporation (Agencies) Limited, dated 05.01.2024
- Ex.P.46 Photocopy of the communication containing share details of Sri Lakshmi Saraswathi Textiles (Arni) Limited, dated 30.10.2023 (compared with the original)
- Ex.P.47 Photocopy of the dividend warrant bearing No.27941 issued by Tata consumer products Limited (compared with the original)
- Ex.P.48 Photocopy of the communication containing share details of Tata consumer products Limited dated 30.09.2023 (compared with the original)
- Ex.P.49 Photocopy of the dividend warrant bearing No.27940 issued by Tata consumer products limited (compared with the original)
- Ex.P.50 Photocopy of the communication containing share details of Tata consumer products Limited dated 29.09.2023 (compared with the original)
- Ex.P.51 Photocopy of the dividend warrant bearing No.282216 issued by Tata Power Company Limited (compared with the original)
- Ex.P.52 Photocopy of the communication containing share details of Tata Power company Limited dated 11.11.2023 (compared with the original)
- Ex.P.53 Downloaded copy of the communication containing share details of Tuticorin Alkali Chemicals and Ferilizers Limited dated 25.06.2024.
- Ex.P.54 Photocopy of the dividend warrant bearing No.001995 issued by TVS Srichakra Limited (compared with the original)
- Ex.P.55 Downloaded copy of the communication containing share details of TVS Srichakra Limited dated 27.11.2023
- Ex.P.56 Photocopy of the general power of attorney of Shwetha Surender

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(compared with the original)

Ex.P.57

Copy of the paper publication effected in one issue of tamil daily
“Makkal Kural” dated 13.09.2025.

Ex.P.58

Certificate under section 63 (4) (C) of BSA.

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DR.A.D.MARIA CLETE, J.

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