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OP No. 527 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-02-2026

CORAM

THE HON'BLE MR.JUSTICE P. DHANABAL

OP No. 527 of 2025

Mohammed Shazi Kandrikar
S/o. Kandrikar Fazlur Rahman
New No.17, Old No.8, Pycrofts Garden Street,
Thousand Lights, Greams Road,
Chennai 600 006.

..Petitioner(s)

Vs

1. Mario Aoki
S/o. Mohammed Shazi Kandrikar,
New No.17, Old No.8, Pycrofts Garden Street,
Thousand Lights,
Greams Road, Chennai 600 006.
2. Xanan Kandrikar Aoki
S/o. Mohammed Shazi Kandrikar,
New No.17, Old No.8, Pycrofts Garden Street,
Thousand Lights,
Greams Road, Chennai 600 006.

..Respondent(s)

Prayer: Petition filed under Section 372 of the Indian Succession Act, 1925 r/w Order XXV Rule 6 of O.S.Rules to grant Succession Certificate 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.



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For Petitioner(s):

Mr.A.V.Arumugam

For Respondent(s):

Mr.M.Prakash for R1 and R2

ORDER

This petition has been filed by the petitioner 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 petitioner, the petitioner's wife, namely, Aoki Maya died on 06.03.2023.

- The petitioner is the husband of Aoki Maya and the respondents 1 and 2 are the sons of petitioner and Aoki Maya.

Except the above petitioner and respondents, there are no other legal heirs to the said deceased Aoki Maya. The said deceased Aoki Maya, during her lifetime, was a registered Independent Associate / Direct Seller of Herbalife International India Pvt., Ltd., under Associateship ID No.30857087 . The face value of the commissions, royalties and other dues (debts) would come around Rs.65,00,000/-. The deceased Aoki Maya died intestate. A due and diligent search has been made for a Will, but it was not found. Since the petitioner and the respondents are the only legal heirs of the assets of the deceased and there is no other next of kin to the deceased and in order to get



those commissions, royalties, and other dues (debts), the Succession Certificate is necessary to the petitioner. The respondents have filed the consent affidavits of both the sons, viz., respondents 1 and 2 to grant succession certificate to the petitioner. Therefore, the petitioner has filed this petition.

3. After filing of this Original Petition, the petitioner was 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.9.

4. This Court also perused the entire documents including the evidences. The petitioner namely Mr. Mohammed Shazi Kandrikar has been examined as PW1 and 9 documents have been marked. On a careful perusal of the evidence of PW1 and the documents, viz., Ex.P.1 to Ex.P.9, they revealed that the petitioner and the respondents are the legal heirs of the deceased Aoki Maya to succeed her estates and she died intestate and the respondents have given their consent affidavits to grant succession to the petitioner, thereby, the petitioner is entitled to get the share certificates. Therefore, petitioner is entitled to the Succession Certificate.



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5. In view of the same, this Original Petition is ***allowed. The petitioner is entitled to the value of the petition-mentioned assets and*** a direction for grant of Succession Certificate in favour of the petitioner with power to collect the securities and to receive the interest and dividends on and negotiate and for terminal benefits, if any, specified in the Schedule, as applicable till the date of withdrawal, is issued.

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Index : Yes/No
Speaking Order : Yes/No
ssd

APPENDIX:

List of Petitioner side Witness:

PW1 : Mr. Mohammed Shazi Kandrikar

List of Petitioner side Documents:

Exhibit No.	Date	Description of Documents
Ex.P.1.	-	Original Death Certificate of Mrs.Aoki Maya
Ex.P.2	-	Aadhaar Card of Mrs.Aoki Maya
Ex.P.3	-	Computer generated legal heirship certificate of Mrs.Aoki Maya
Ex.P.4.	-	Photocopy of my Aadhar card (Compared with the Original)
Ex.P.5	-	Photocopy of the Aadhaar Card of 1 st respondent



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Ex.P.6	-	Photocopy of the Aadhaar Card of 2 nd respondent (Compared with the original)
Ex.P.7.	10.06.2025	Original Certificate dated 10.06.2025 issued by Herbalife along with the E-mail dated 10.10.2024
Ex.P.8.	-	Certificate under Section 63(4)(C) of BSA for electronic documents.
Ex.P.9.	28.11.2025	Copy of the Paper publication effected in one issue of tamil daily 'Makkal Kural'

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P.DHANABAL, J.

ssd

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