

IN THE COURT OF THE III ADDITIONAL DISTRICT JUDGE,
TIRUCHIRAPPALLI

Present : **Thiru.B.Saravanan, B.Sc., B.L.,**
III Additional District Judge,
Tiruchirappalli.

Tuesday, the 23rd day of June, 2026

Succession O.P. No.191/2025
CNR No. TNTP01-003356-2025

- 1) J.Balakrishnan,
S/o.Late.R.Jayadavan,
No.6/47, North Street,
Elurpatti, Thottiyam Taluk,
Tiruchirappalli District,
- 2) J.Sridhar,
S/o.Late. Jayadavan,
No.F2, Rohini AVK heights,
132, Bharathiar Salai, Junction,
Tiruchirappalli -01.

... Petitioners

// Versus //

NIL

... Respondent

This petition came up before me on 08.06.2026 for final hearing in the presence of Thiru.V.Santhanan, Counsel for the Petitioners and upon perusing the petition and connected records and upon hearing the argument on the side of petitioners and having stood over for consideration till this day and this court delivers the following:

ORDER

The Petitioners have filed this petition U/s.372 of Indian Succession Act to issue Succession Certificate in the favour of the petitioners authorizing them to claim and transfer the shares more fully described in the schedule in their name as the Legal Heirs of the deceased Thiru.R.Jayadavan along with additional bonus/split up shares, and unclaimed dividends and Bonus.

2. **Brief averments stated in the petition are as follows:**

2.1) The parents of the petitioners are R.Jayadavan and Mrs.Rajam. The father of the petitioners R.Jayadavan had died intestate on 15.08.2006 leaving behind the petitioners and their mother Rajam as his legal heirs. Subsequently, the mother of the petitioners Rajam also died intestate on 14.06.2019. Their father R.Jayadavan had purchased 500 shares more during his life time from M/s.Indo Count Industries Ltd. Therefore, after the demise of their parents, the petitioners being his legal heirs have succeeded to his estate and therefore, are entitled for the shares as per the Hindu Succession Act. Under such circumstances, the petitioners have to be declared as the legal heirs of the deceased R.Jayadavan and a Succession Certificate has to be issued in their favour.

2.2) The original share certificate Nos.23833, 24674, 33781, 3941 and 3955 issued by M/s. Indo Count Industries Ltd., is available with the

petitioners. When the petitioners approached the said company for transfer of shares in their favour, they were informed that the original shares have been split up and that the five hundred shares of their father have become 2500 shares vide their e-mail dated 12.07.2022. The petitioners were further informed that dividends and bonus that have accrued and payable to the father of the petitioners and thereafter to the petitioners are pending and are yet to be paid to the petitioners. Therefore, they advised the petitioners to obtain and produce a Succession Certificate from a competent Court of Law. Hence, the petitioners are constrained to file the present petition invoking the jurisdiction of this court where the father of the petitioners purchased the schedule mentioned shares from the M/s.Indo Count Industries Ltd., at Trichy and where he permanently resided and where the petitioners are residing within Jurisdiction of this court.

3. The petition was taken into file and publication effected, Tom tom made. No objector was present. Thereafter, on the side of the petitioners, the petitioners were examined as PW1 & PW2 and Ex.P1 to Ex.P11 documents were marked.

4. **The point for consideration is:**

Whether the petitioners are entitled for succession certificate as prayed for?

5. The 2nd Petitioner viz J.Sridhar has been examined as PW.1. Ex.P1 is the Death Certificate of deceased Thiru.R.Jayadavan, Ex.P2 is the Legal Heirs certificate of deceased Thiru.R.Jayadavan, Ex.P3 is the Death Certificate of Rajam, Ex.P4 is the Legal Heir Certificate of their mother Rajam, Ex.P5 is the letter sent by the Link Intime Pvt. Ltd to the 1st petitioner regarding the details of the Shares in the name of deceased Thiru.R.Jayadavan, Ex.P6 to Ex.P10 are the Dividend certificates issued by M/s.Indo Count Industries Ltd., in the name of deceased Thiru.R.Jayadavan, Ex.P11 is the E-mail sent by M/s.Indo Count Industries Ltd, to the 2nd petitioner. The 1st petitioner viz. J.Balakrishnan has been examined as PW2.

6. On perusal of the above said documents, it is established that the petitioners are the sons of Late.R.Jayadavan and his wife Late.Rajam. The said R.Jayadavan was died on 15.08.2006 and the mother of the petitioners Tmt.Rajam was died on 14.06.2019. Ex.P1 to P4 are shows that the petitioners are the only legal heirs of the deceased Thiru.R.Jayadavan.It is stated that their father R.Jayadavan had purchased 500 shares from M/s.Indo Count Industries Ltd and when the petitioners requested for transmission of shares in the M/s.Indo Count Industries Ltd, they have sent the Ex.P5 notice with annexed the Ex.P6 to Ex.P10 and sought for to produce succession certificate. They are in need of the succession certificate for transmission of share certificates in their favour. Therefore, the petitioners side evidence and

documents are sufficient to prove that the petitioners are the only legal heirs to the deceased R.Jayadavan. There is no respondent in this petition and no objector was present.

7. As already discussed except the Petitioners, there is no other legal heirs to their parents and there is no other lawful claim in respect of the above said investments mentioned in the petition schedule. It is needless to state that without succession certificate in their favour, the petitioners who are the legal heirs of deceased Thiru.R.Jayadavan cannot claim and transfer the shares standing in the name of their deceased father. The petitioners side evidence are sufficient to grant the succession certificate in favour of the Petitioners and the petition is liable to be allowed.

8. **In fine,**

This petition is allowed. It is ordered to issue succession certificate in favour of the Petitioners, so as to enable them to claim and transfer the shares described in the schedule along with additional bonus/split up shares and unclaimed Dividends and Bonus if any, due to their deceased father namely, Thiru.R.Jayadavan.

Dictated to the Stenographer, transcribed by her, corrected and pronounced by me in open court, On the 23rd day of June 2026.

**III Additional District Judge,
Tiruchirappalli.**

Petitioners side witnesses:

PW.1 – J.Sridhar

PW.2 – J.Balakrishnan

Petitioners side documents:

Ex.P1	31.08.2006	Death Certificate of R.Jayadavan – Certified copy
Ex.P2	20.09.2006	Legal Heir Certificate of R.Jayadavan – Certified Copy
Ex.P3	26.06.2019	Death Certificate of Rajam – Certified copy
Ex.P4	10.07.2019	Legal Heir Certificate of Rajam – Certified Copy
Ex.P5	06.02.2016	Letter sent by the Link Intime India Pvt Ltd to the 1 st petitioner
Ex.P6	--	Dividend Certificate issued by M/s.Indo Count Industries Ltd., to the deceased R.Jayadavan
Ex.P7	--	Dividend Certificate issued by M/s.Indo Count Industries Ltd., to the deceased R.Jayadavan
Ex.P8	--	Dividend Certificate issued by M/s.Indo Count Industries Ltd., to the deceased R.Jayadavan
Ex.P9	--	Dividend Certificate issued by M/s.Indo Count Industries Ltd., to the deceased R.Jayadavan
Ex.P10	--	Dividend Certificate issued by M/s.Indo Count Industries Ltd., to the deceased R.Jayadavan
Ex.P11	12.07.2022	E-mail sent by M/s.Indo Count Industries Ltd, to the 2 nd petitioner– Copy

**III Additional District Judge,
Tiruchirappalli.**