



O.P.No.555 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-07-2026

WEB COPY

CORAM

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

OP No. 555 of 2025

1. S. Ramalakshmi and another
W/o. Sankarasubramanian,
No.264, First floor,
42nd Street, 8th Sector,
K.K.Nagar, Chennai
Tamil Nadu 600 078.
Rep by her power agent,
R.Sankaranarayanan.
2. R.Sankaranarayanan
S/o. Ramaiyer
No.67 F1, 1st main Road,
Opp. to BVM School,
Rajiv Nagar Perungudi,
Kancheepuram,
Tamil Nadu 600 096.

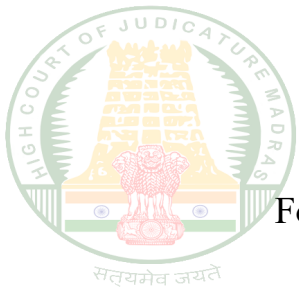
..Petitioner(s)

Vs

No Respondent
Nil

..Respondent(s)

PRAYER: That a Succession Certificate may be granted to the 1st petitioner namely S.Ramalakshmi with power to collect the debts and to receive the interest and dividends on and negotiate and transfer the debts specified in the schedule thereto. Net amount of Rs.12,17,097.94 Suc duty of Rs.25,000/- paid on 04.07.2025



WEB COPY



O.P.No.555 of 2025

For Petitioner(s): M/s. S. Shyam Kumar
L.Senthillumar
G.Yuvaraj
V.Krishnamurthy

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 a succession certificate in respect of the debts and securities left by the late Mrs S. Kanthimathi, who died intestate on 18.06.2023. The 1st petitioner, Mrs S. Ramalakshmi, is represented by her power agent, the 2nd petitioner, Mr R. Sankaranarayanan. The petitioner states that the deceased had no surviving husband or children, and that the petitioners, being the sister's daughter and sister's son of the deceased, are the only surviving next of kin and legal heirs entitled to succeed to the debts and securities described in the schedule. The petition further states that the assets consist of three fixed deposits and one savings bank account with Indian Bank, West Mambalam Branch, aggregating to Rs.12,17,097.94.

2. A perusal of the records shows that Mrs S. Kanthimathi ordinarily resided at Ashok Nagar, Chennai, within this Court's jurisdiction, and died on 18.06.2023.



O.P.No.555 of 2025

The death certificate has been produced. The petitioners have also produced the bank records relating to the fixed deposits and the savings bank account in the name of the deceased. The 2nd petitioner has filed an affidavit stating that he is the younger brother of the 1st petitioner, that he has been duly authorised under a General Power of Attorney dated 03.01.2025, and that the said power is still in force.

3. This Court, by its order dated 23.06.2026, required clarification of the averments in paragraphs 6 and 7 of the petition, particularly in relation to Section 15(1)(b) of the Hindu Succession Act, 1956. It directed the filing of an additional affidavit regarding the next kin and legal heirs. The additional affidavit has now been filed. In that affidavit, the 2nd petitioner has stated that the deceased was married to one Sangara Iyer around 1974; that the husband died within about a year of marriage; that the couple had no children; that the husband was the only child of his parents; that the husband's parents had also died long ago; that the deceased's own parents had predeceased her; and that the deceased's parents had only two daughters, namely Ranganayaki and Kanthimathi. It is further stated that Ranganayaki, the deceased's sister and the petitioners' mother, had also predeceased, and that the petitioners are her only legal representatives. On that



basis, the petitioners assert that there are no surviving heirs in the categories preceding them and that they alone survive as the persons entitled to succeed.

4. The Court recognises that the petitioners have not produced documentary proof of the deceased's husband's death or of the extinction of his line. However, the present proceeding is for a succession certificate, which is summary in character and confined to the prima facie entitlement to collect debts and securities. The explanation now offered is that the husband died several decades ago, that the deceased was uneducated, that no records of his death were preserved, and that there had been no contact with the husband's family thereafter. In the absence of any contest, and having regard to the further sworn particulars furnished in the additional affidavit, this Court is satisfied, for the limited purpose of granting a succession certificate, that no competing claim has been shown and that the petitioners have established a prima facie better entitlement.

5. The records further show that a succession duty of Rs. 25,000/- was paid. The Master thereafter directed publication of the general paper. Publication was effected, an affidavit of service was filed, and the Master recorded that service by



O.P.No.555 of 2025

publication was complete and that no objection had been raised in open Court. The matter was then placed before the Court.

WEB COPY

6. The 2nd petitioner was examined as P.W.1 before the learned Master. Through his proof affidavit and deposition, he reiterated the petitioners' case and marked Exs. P1 to P12, including the deceased's and the petitioners' identity documents, the General Power of Attorney, the Indian Bank passbook and fixed deposit receipts, the death certificate, and the newspaper publication. Evidence was thereafter closed.

7. On the materials placed before this Court, it finds that the deceased died intestate; that the debts and securities described in the schedule stood in her name; that the petitioners have made out a prima facie case of entitlement; and that there is no impediment under Section 370 of the Indian Succession Act to the grant of a certificate. Since the 2nd petitioner has expressly consented to the issuance of the certificate in favour of the 1st petitioner alone, the request in that regard can also be accepted.



O.P.No.555 of 2025

8. Accordingly, this Original Petition is allowed. A succession certificate shall be issued in favour of the 1st petitioner, Mrs. S. Ramalakshmi, represented by her power agent, Mr. R. Sankaranarayanan, in respect of the debts and securities of the late Mrs. S. Kanthimathi, as described in the schedule to the petition, namely the three fixed deposits and the savings bank account with Indian Bank, West Mambalam Branch, aggregating to Rs.12,17,097.94, together with accrued interest, if any, on the usual terms and upon due compliance with the requirements as to stamp duty and security, if any, in accordance with law till the date of withdrawal, is issued. No costs. Consequently, connected applications, if any are closed.

10-07-2026

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

AY

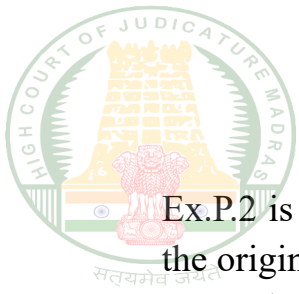
List of Witnesses examined on the side of the Petitioner:

PW1 –Mr.R.Sankaranarayanan.

List of Documents marked on the side of the Petitioner:

Ex.P.1 is the photocopy of the PAN Card of Mrs.S.Kanthimathi (compared with the original)

6/8



O.P.No.555 of 2025

Ex.P.2 is the photocopy of the aadhaar card of Mrs.S.Kanthimathi (compared with the original)

Ex.P.3 is the original general power of attorney by Mrs.S.Ramalakshmi standing in the name of the second petitioner of Mr.R.Sanakaranarayanan.

Ex.P.4 is the photocopy of the aadhaar card of Mr.Sanakaranarayanan.R (compared with the original)

Ex.P.5 is the photocopy of the aadhaar card of Mrs.S.Ramalakshmi (compared with the original)

Ex.P.6 is the photocopy of India Bank passbook bearing Account No.444906429 of Mrs.S.Kanthimathi (compared with the original)

Ex.P.7 is the photocopy of India bank's fixed deposit certificate No.0906868 standing in the name of Mrs.S.Kanthimathi (compared with the original)

Ex.P.8 is the photocopy of India bank's fixed deposit certificate No.0660707 standing in the name of Mrs.S.Kanthimathi (compared with the original)

Ex.P.9 is the photocopy of India bank's fixed deposit certificate No.0140362 standing in the name of Mrs.S.Kanthimathi

Ex.P.10 is the certificate under section 63 (4)(c) of BSA.

Ex.P.11 is the computer generated death certificate of Mrs.S.Kanthimathi.

Ex.P.12 is the copy of the paper publication effected in one issue of Tamil daily "Makkal Kural" dated 14.01.2026.

10.07.2026

ay



WEB COPY



O.P.No.555 of 2025

DR.A.D.MARIA CLETE, J.

AY

OP No. 555 of 2025

10-07-2026