



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(TESTAMENTARY AND INTESTATE JURISDICTION)

MONDAY, THE 26TH DAY OF JULY 2021

THE HON'BLE MR. JUSTICE V.PARTHIBAN

O.P.No.517 of 2020

In the matter of Indian Succession
Act, XXXIX of 1925

And

In the matter of securities / debts
belonging to the deceased
G.Gajendran under Part X of the
Indian Succession Act.

1.Mr.G.RANGANATHAN
S/o.Late Govindharajulu,
No.187/82, Samy Naicken Street,
Chintadripet,
Chennai-600 002

2.Mrs.K.PADMA
W/o.Krishnamoorthi,
No.79A, Kasi Flats,
Annai Sathiya Nagar 8th Street,
Poothapedu, Ramapuram,
Porur, Chennai-600 116

3.Mrs. S.RENUGA
W/o.Srinivasan,
No.2/115,Pudhupettai Street, Alandur,
Chennai-600 016

4.Mrs. K.NIRMALA
W/o.Late G.Kumar,
No.25, 3rd Street,
Sundaram Colony,
West Tambaram,
Chennai-600 045



5. Mr. K. BALAJI
S/o. Late G. Kumar,
No. 25, 3rd Street Sundaram Colony,
West Tambaram,
Chennai-600 045

6. Mr. K. SURESH
S/o. Late G. Kumar,
No. 25, 3rd Street Sundaram Colony,
West Tambaram,
Chennai-600 045

...Petitioners

Original Petition praying that this Hon'ble Court be pleased that a Succession Certificate may be granted to the petitioners with power to collect the debts and to receive the interest in the schedule in the petition.

This Original Petition coming on this day before this court for hearing, the court made the following order:

This Petition has been filed under Section 372 of the Indian Succession Act read with Order XXV Rule 6 of the Madras High Court Original Side Rules, to grant succession certificate in favour of the petitioners.

2. The case of the petitioners is that the first petitioner is the brother and the second and third petitioners are the sisters of the deceased

G. Gajendran, who died on 25.03.2020 at Adyar P.M. Hospital and Research



Centre Pvt.Ltd. The fourth, fifth and sixth petitioners are the legal heirs of the deceased G.Kumar, who is the brother of the deceased G.Gajendran.

The parents and wife of the deceased, predeceased him and the deceased and his wife died issue less. The deceased does not have first class legal heirs to succeed him. Therefore, the petitioners are the second class legal heirs of the deceased. The deceased ordinarily resided at No.31, Arumuga Street, Triplicane, Chennai 600 005 and left a sum of Rs.13,33,245/- (Rupees Thirteen Lakhs Thirty Three Thousand Two Hundred and Forty Five) in Account No.420128423, M.G.T.Branch, Indian Bank, specified in the schedule hereto within the jurisdiction of this Court. The petitioners 1, 2 and 3 are entitled to 1/4th share each and the petitioners 4 to 6 are jointly entitled to 1/4th share as the second class legal heirs of the deceased in the estates left behind by the deceased.

3. The deceased died intestate and though due and diligent search has been made for a Will, none has been found. The succession certificate is required for the purpose of producing the same before the Indian Bank, M.G.T. Branch for the withdrawal of the amount stands in the name of the deceased. The asset in respect of which the succession certificate is required is of the value of Rs.13,33,245/-. No application for a succession certificate



deceased has been made to any District Court or delegate or to any High Court. Hence, the petitioners have approached this Court for grant of succession certificate in their names with power to collect the debts and to receive the interest and dividends on and negotiate and transfer the securities specified in the schedule.

4.The first petitioner examined himself as P.W.1 and marked Exs.P1 to P7. Ex.P1 is the photograph of the relationship certificate dated 10.08.2020 in respect of my brother G.Gajendran issued by Tahsildar, Mylapore Taluk, Chennai-28. Ex.P2 is the computer generated death certificate of my brother G.Gajendran, who died on 25.03.2020. Ex.P3 is the computer generated death certificate of my another brother G.Kumar, who died on 08.02.2016. Ex.P4 is the computer generated death certificate of my mother Devakiammal, who died on 09.05.1981. Ex.P5 is the computer generated death certificate of my father Govindarajalu, who died on 09.11.1990. Ex.P6 is the photocopy of the bank passbook in Indian Bank, Anna Salai Branch bearing Account No.420128423 which disclosed the closing balance as on 04.09.2020 for a sum of Rs.13,33,245.10/- standing in the name of my deceased brother G.Gajendran. (Initially the passbook was held by my deceased brother at M.G.T.Branch, subsequently, my brother requested the bank authorities to transfer his account to Anna Salai Branch)



Ex.P7 is a copy of paper publication effected in one issue of Tamil daily “Dina Kural” dated 27.01.2021.

5.Considering the averments made in the petition and the documents filed by the petitioners, I am satisfied that the petitioners have succeeded to the Estate of the deceased G.Gajendran. Therefore, the petition is ordered as prayed for and a direction for grant of Succession Certificate to the petitioners with power to collect the debts and to receive the interest and dividends on and negotiate and transfer the securities specified in the schedule, is issued. The petitioners are directed to render account once in a year.

Sd/.V.P.N.J.
26.07.2021

//Certified to be a true copy//
Dated this the th day of 2021.

Su/02.08.2021

COURT OFFICER(O.S.)

From 25.09.2008 the Registry is issuing certified copies of the Order/Judgment Decree in this format.