



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

THURSDAY, THE 23RD DAY OF JUNE 2022

THE HON'BLE MR. JUSTICE KRISHNAN RAMASAMY

O.P.No.792 of 2021

In the matter of Indian Succession
Act, XXXIX of 1925
and
In the matter of Debts belonging
to Mrs.Uma Balaraman
(deceased)

1. MRS.B. LAKSHMI
W/o.Mr.Bhuvana Sundar,
Old No.1, New No.39,
Sai Nagar, Virugambakkam,
Chennai - 600 092.

2.MRS. VASUMATHY B
W/o.Mahesh Krisnamoorthy,
47/23, Taylors Estate, 2nd Street,
Kodambakkam,
Chennai - 600 024.

..Petitioners

-Vs-

MRS.GAYATHRI B
W/o.Jacob S Davison,
105, Auburn Street, Sutherland,
NSW Australia 2232.

..Respondent

This original petition praying that this Hon'ble court be pleased that a



empowering the First Petitioner herein with power to collect the Debts and to receive the interest specified 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, 1925 read with Order XXV Rule 6 of the Original Side Rules, to grant succession certificate in favour of the first petitioner.

2. It is the case of the petitioners, that the petitioners and the respondent are the daughters of the deceased Mrs.Uma Balaraman, who died intestate on 15.10.2020. Further, the husband of the deceased viz., Balaraman also passed away on 30.07.2019. Accordingly to the petitioners, the deceased Mrs.Uma Balaraman during her lifetime, had a bank account in Standard Chartered Bank bearing Smart Banking Savings Account No.42710361358, wherein a sum of Rs,49,30,205.14 is lying credit. Therefore, the petitioners have filed the present petition for grant of succession certificate in favour of the first petitioner, with power to collect the debts and to receive the interest specified in the schedule.

3.It is further stated that other than the petitioners and the respondent,

there are no other relatives to succeed to the estate of deceased Mrs.Uma



Balaraman as legal heirs. Further, no application for a succession certificate in respect of any debt or security belonging to the estate of the said 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 favour of the first petitioner, with power to collect the debts and to receive the interest specified in the Schedule.

4. In order to prove their case, the petitioners examined themselves as P.W.1 and P.W.2 and marked the following documents;

(1) Ex.P1 - death certificate of husband of deceased dated 20.08.2019

(2) Ex.P2 - legal heir certificate of husband of the deceased dated 22.10.2019

(3) Ex.P3 - death certificate of Mrs.Uma Balaraman dated 18.11.2020.

(4) Ex.P4 - legal heir certificate of Mrs.Uma Balaraman dated 10.02.2021.

(5) Ex.P5 - certified copy of the standard chartered bank account statement dated 01.09.2021.

(6) Ex.P6 - paper publication effected in Makkal Kural, Chennai Edition dated 25.03.2022.

(7) Ex.P7 - consent affidavit of Mrs.Vasumathy. B dated 22.09.2021.



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5. Further, the other second petitioner and the respondent have given consent affidavits expressing no objection for grant of succession certificate in favour of the 1st petitioner.

6. Considering the averments made in the petition and the evidence tendered by PW.1 and P.W.2 along with the documents marked as Exs.P1 to P7, this Court is satisfied that the petitioners have succeeded to the Estate of the deceased. Therefore, the petition is ordered as prayed for and a direction for grant of Succession Certificate to the first petitioner with power to collect the debts and to receive the interest specified in the schedule, is issued.

7. Accordingly, the petitioners are entitled for the relief as prayed for and this Original Petition stands allowed.

Sd/.K.R.J.
23.06.2022

//Certified to be a true copy//

Dated at Madras this the day of 2022.

su.04.07.2022

COURT OFFICER(O.S.)

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