



O.P. No.691 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **02.07.2024**

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN
O.P.No.691 of 2023

Kathyaini Sambasivan

... Petitioner

Vs.

1.Dr.Nitya Sambamurti Ghotge
2.Prof.S.Lokanathan
3.Badri Lokanathan
4.Shobha Lokanathan Kavoori

... Respondents

PRAYER : Original Petition filed under Section 372 of the Indian Succession Act, 1925, read with Order XXV Rule 6 of O.S. Rules to grant Succession Certificate to the petitioner with power to collect the debts and to receive interest, specified in the schedule hereto.

For Petitioner : Mr.Vikram Ramakrishnan

ORDER

The petition has been filed seeking Succession Certificate of the debts of Mrs.Tara Venkatraman who died intestate on 15.08.2017.

2. The petitioner and the respondents are the second class surviving



O.P. No.691 of 2023

legal heirs of the deceased Tara Venkatraman. The debts which stood in the name of Tara Venkatraman has been described in the schedule and they were deposited in the fixed deposit and savings bank account in the Indian Bank, Sterling Road Branch, Chennai.

3. After following the due procedure, the petitioner was directed to tender evidence. Accordingly, the petitioner examined herself as P.W.1. and she marked the death certificates of Tara Venkatraman and S.Venkatraman as Exs.P1 & P2. She also marked the death certificates of other two deceased sisters as Exs.P3 & P5. She also marked the documents relating to the family members / legal heirs of the other two deceased as Exs.P4 & P7. The documents relating to the bank deposits were marked as Exs.P8 & P9. The settlement deed which had been executed by Tara Venkatraman was marked as Ex.P6. The respondents have not raised any objection for grant of succession certificate in favour of the petitioner and filed their consent affidavits.

4. Taking into consideration the nature of the evidence recorded and the documents produced, this Original Petition stands allowed and the Succession Certificate shall be issued in favour of the petitioner, with power



O.P. No.691 of 2023

to collect the debts and to receive the interest and dividends thereon and
negotiate and transfer the securities specified in the Schedule hereunder on
payment of appropriate succession duty, if not paid earlier.

02.07.2024

Index :Yes/No
gsk



O.P. No.691 of 2023

APPENDIX

Petitioner's witness:

P.W.1 – Mrs.Kathyaini Sambasivan

Documents marked:

<i>Exhibits</i>	<i>Documents</i>
P1	the computer generated death certificate of Mr.S.Venkatraman.
P2	the computer generated death certificate of Mrs.Tara Venkatraman.
P3	the computer generated death certificate of Mrs.Amrutha Lokanathan.
P4	the computer generated surviving family members certificate of Mrs.Amrutha Lokanathan.
P5	the computer generated death certificate of Mrs.Uma Samabmurti.
P6	the photocopy of the settlement deed dated 20.03.2013 executed by Mrs.Tara Venkatraman in favour of Mrs.Amrutha Lokanathan.
P7	the photocopy of the legal heirship certificate of Mrs.Uma Sambamurti.
P8	the photocopy of the Indian Bank fixed deposit receipt bearing A/C.No.989762475 stands in the name of Mrs.Tara Venkatraman.
P9	the photocopy of the Indian Bank joint account passbook bearing A/C.No.401342520 of Mr.S.Venkatraman and Mrs.Tara Venkatraman.
P10	the copy of the paper publication effected in one issue of Tamil Daily "Makkal Kural" dated 01.03.2024.
P11	the certificate under Section 65B of the Indian Evidence Act, 1872 in respect of electronic documents.

02.07.2024

gsk



WEB COPY



O.P. No.691 of 2023

C.V.KARTHIKEYAN, J.

gsk

O.P. No.691 of 2023

02.07.2024