



O.P. No.266 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.11.2025

CORAM :

THE HONOURABLE MR.JUSTICE P.DHANABAL

O.P. No.266 of 2025

S. Chinny Krishna

S/o. Late Captain V. Sundaram

... Petitioner

VS.

1. Suresh Sundaram S/o. Late Captain V. Sundaram

2. Viji Sundaram D/o. Late Captain V. Sundaram

.. Respondents

PRAYER: Original Petition is filed under Section 372 of the Indian Succession Act of 1925 read with Order XXV Rule 6 of the Original Side Rules praying to grant Succession Certificate to the petitioner with power to collect the debts and to receive the interest and dividends and / or any accrued dividend on, and negotiate and transfer the securities specified in the Schedule.

For Petitioner : Mr.S. Raghunathan

For Respondents : No appearance.



O.P. No.266 of 2025

ORDER

WEB COPY

This petition has been filed by the petitioner praying to grant Succession Certificate under Section 372 of the Indian Succession Act read with Order XXV Rule 6 of the Original Side Rules.

2. According to the petitioner, the deceased Mrs. Usha Sundaram, W/o. Late Captain V. Sundaram is the mother of the petitioner and the respondents and she died intestate on 04.04.2010 leaving the petitioner and the respondents behind her as surviving legal heirs. Captain V. Sundaram, husband of the deceased namely Mrs. Usha Sundaram, predeceased her on 31.05.1997 and after the demise of the deceased, the petitioner and the respondents are the Class I Legal Heirs to succeed her estates. The deceased owned assets interalia by way of shares described in the schedule. Since the petitioner and the respondents are the only legal heirs of the assets and in order to transfer the above said shares in their favour, the Succession Certificate is necessary and the respondents 1 and 2 have consented for such a

Page No.2 of 7



O.P. No.266 of 2025

grant of succession certificate in favour of the petitioner. The value of assets

in respect of which, the succession certificate, is required, is of the value at

Rs.24,02,170/-. Therefore, the petitioner has filed this petition.

3. After filing of this Original Petition, the petitioner was directed to effect paper publication and the same was also effected. No any objection was received from any party. Thereafter, the matter was posted for examination of witnesses and the evidence was recorded. On the side of the petitioner, he examined PW1 and marked Ex.P.1 to Ex.P8.

4. This Court also perused the entire documents including the evidences. On a careful perusal of the evidence of PW1 and the documents Ex.P.1 to Ex.P8, they revealed that the petitioner and the respondents are the legal heirs of the deceased Mrs. Usha Sundaram and during her lifetime, she had purchased the schedule mentioned properties and thereafter, she died intestate, thereby, the petitioner and the respondents, being the surviving legal heirs, each are equally entitled to get those shares. The respondents have filed

Page No.3 of 7



O.P. No.266 of 2025

their consent affidavit to grant succession certificate in favour of the petitioner. Therefore, the petitioner is entitled to the Succession Certificate.

5. In view of the same, this Original Petition is *allowed*. *The petitioner is entitled to the value of the shares and* a direction for grant of Succession Certificate in favour of the petitioner with power to collect their debts, securities and to receive the interest and dividends on and negotiate and transfer the securities specified in the Schedule, as applicable till the date of withdrawal, is issued.

03.11.2025

Index : Yes/No
Speaking Order : Yes/No
mjs

APPENDIX:

List of Petitioner side Witnesses:

PW1 : Mr. S. Chinny Krishna



O.P. No.266 of 2025

List of Petitioner side Documents:

Exhibit No.	Date	Description of Documents
Ex.P.1.	-	Computer generated Death Certificate of Mrs. Usha Sundaram along with the Certificate under Section 63(4) of B.S.A.
Ex.P.2	-	Computer generated Legal Heir Certificate of Mrs. Usha Sundaram..
Ex.P.3	-	Computer generated Death Certificate of Mr. V. Sundaram along with the Certificate under Section 63(4) of B.S.A.
Ex.P.4.	-	Photocopy of Share Certificate of Cholamandalam Investment & Finance Company Limited bearing Registered Folio No.CIC000475 and Certificate No.82538 stands in the name of Captain V. Sundaram and Mrs. Usha Sundaram.
Ex.P.5	-	Photocopy of Share Certificate of AREVA T & D India Limited bearing Registered Folio No.03196394 and Certificate No.0000251810 stands in the name of Mrs. Usha Sundaram.
Ex.P.6	-	Photocopy of the Intimation letter dated 09.03.2018 addressed to PW1 by M/s. Integrated Registry Management Services Private Limited in respect of transmission of shares held by Mrs. Usha Sundaram.
Ex.P.7.	-	Photocopy of Aadhar Card of PW1.
Ex.P.8.	02.09.2025	Copy of paper publication effected in one issue



O.P. No.266 of 2025

of Tamil daily "Makkal Kural".

WEB COPY

03.11.2025

P.DHANABAL.,J

mjs

O.P. No.266 of 2025



WEB COPY



O.P. No.266 of 2025

03.11.2025