



O.P.No.25 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.08.2025

CORAM

THE HONOURABLE **MR.JUSTICE K.KUMARESH BABU**
O.P.No.25 of 2025

1.N.Raji
2.N.Sridhar
3.Janaki Sankaran
4.Abhishek Neelakantan
5.Prashanth Radhakrishnan Sankaran ...Petitioners

PRAYER: Original Petition filed under Section 372 of Indian Succession Act, 1925 read with Order XXV Rule 6 of O.S. Rules, praying that a Succession Certificate may be granted to the first petitioner with the power to collect the securities and to receive the interest and dividends on and negotiate and transfer the securities specified in the schedule hereto.

For Petitioners : Mr.S.Ramajeyam

ORDER

The petitioners seek Succession Certificate in favour of the 1st petitioner in respect of the securities held by Mr.S.Nilakantan and Mrs.S.Sankari, who died intestate on 02.05.2004 and 10.05.2001. Late.Mr.S.Nilakantan, 1st deceased herein is the husband of Late.Mrs.S.Sankari, 2nd deceased herein. The petitioners 1 and 2 are the legal heirs of the above said deceased couple, whereas the petitioners 3 to



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5 are the legal heirs of the deceased son of the aforesaid deceased couple.

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2. The petitioners submit that the Late.Mr.S.Nilakantan, who is the 1st deceased, was married to the Late.Mrs.S.Sankari, the 2nd deceased herein and the couple had begotten one Mr.N.Shankaran along with the petitioners 1 and 2 as their children out of the said wedlock. Subsequently after the death of Late.Mrs.S.Sankari on 10.05.2001 and Late.Mr.S.Nilakantan on 02.05.2004, one of their sons Mr.N.Shankaran also died on 14.12.2022, leaving behind his wife and children as his legal heirs, the petitioners 3 to 5 herein. Therefore the petitioners contend that as the legal heirs of the both deceased, the petitioners 1 and 2 are entitled to 1/3rd share each from the securities mentioned in the schedule of the petition. Whereas the petitioners 3 to 5 as the legal heirs of Late.Mr.N.Shankaran, are jointly entitled to the remaining 1/3rd share from the securities mentioned in the schedule of the petition.

3. The first petitioner has been examined as PW1. She has produced 10 documents to support her depositions which are marked as Ex.P1 to Ex.P8 along with Ex.C1 and Ex.C2 at the foot of the order. The photocopy of the death certificate of Late.Mr.S.Nilakantan has been marked as Ex.P1. The photocopy of the burial ground report of



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Late.Mrs.S.Sankari has been marked as Ex.P3. The photocopy of the

legal heirship certificates of Late.Mr.S.Nilakantan and

Late.Mrs.S.Sankari has been marked as Ex.P2 and Ex.P4. The online

copy of the death certificate and legal heirship certificate of

Late.Mr.S.Shankaran has been marked as Ex.P6 and Ex.P7. The perusal

of Ex.P2 and Ex.P4 proves that the petitioners 1 and 2 along with one

Late.Mr.S.Shankaran are the legal heirs of both the deceased and

accordingly the perusal of Ex.P7 proves that the petitioners 3 to 5 are

indeed the legal heirs of the Late.Mr.S.Shankaran, who is one of the legal

heirs of the deceased couple. The general paper publications have been

effected which are marked as Ex.C1 and Ex.C2 and no objections have

been received for the same.

4. The assertions in the petition have been duly proved by adducing oral evidence supported by documents. In these circumstances, the petitioners are entitled to the relief.

5. In view of the above evidence, the Original Petition is allowed granting Succession Certificate in favour of the 1st petitioner, with the power to collect the securities and receive the interest and dividends on



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and negotiate and transfer securities mentioned in the schedule to the petition.

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Index :Yes/No

Petitioner's witness:

P.W.1 - Ms.N.Raji

Documents exhibited by the petitioners:

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Photocopy of the Death certificate (Date of death 02.05.2004) of S.Nilakantan issued by Corporation of Chennai dated 18.05.2004 (Original received, compared and returned)
Ex.P2	Photocopy of the Legal heirs certificate of S.Nilakantan.(Original received, compared and returned)
Ex.P3	Photocopy of the burial ground report of death.(Date of death 10.05.2001) of S.Sankari (11.05.2001) (Original received, compared and returned)
Ex.P4	Photocopy of the Legal heirs certificate of S.Sankari issued by Tahsildar, Ambattur, dated 22.06.2002.(Original received, compared and returned)
Ex.P5	Original DISA India Limited Share certificate, dated 18.11.2006.
Ex.P6	Online copy of the Death certificate of Sankaran (Date of death 14.12.2022) dated 07.01.2023(Original received, compared and returned)
Ex.P7	Online copy of the Legal heirs certificate of Sankaran issued by Government of Kerala, dated 23.01.2024.(Original received, compared and returned)
Ex.P8	Photocopy of the Aadhar card of first petitioner Mrs.Raji.(Original received, compared and returned)
Ex.C1	Paper publication in one issue of English daily "Trinity Mirror" dated 18.03.2025.



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<i>Exhibits</i>	<i>Documents</i>
Ex.C2	Paper publication in one issue of Tamil daily “Makkal Kural” dated 11.03.2025.

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