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O.P. No.111 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.09.2025

CORAM :

THE HONOURABLE MR.JUSTICE P.DHANABAL

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1. Subramaniam Suresh S/o. Late K.S. Subramaniam
2. Subramaniam Lakshmi D/o. Late K.S. Subramaniam
3. Girija Venkatesan W/o. Venkatesan ... Petitioners

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 petitioners with power to collect the securities and to receive the interest and dividends on and negotiate and transfer the securities specified in the Schedule.

For Petitioners : Mr. Pawan Jhabakh

ORDER

This petition has been filed by the petitioners praying to grant Succession Certificate under Section 372 of the Indian Succession Act read

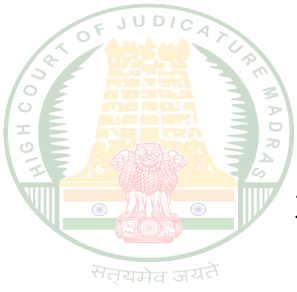


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with Order XXV Rule 6 of the Original Side Rules.

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2. According to the petitioners, they are son and daughters of deceased Mrs. Annammal W/o. Late K.S. Subramaniam. The deceased Annammal died on 27.11.2019 leaving the petitioners behind her as surviving legal heirs and after the demise of the deceased, the petitioners are the Class I Legal Heirs to succeed her estates. The deceased owned assets inter alia by way of shares of ICICI Bank Limited, in DP Account No.14118667 at M/s. HDFC Bank Limited, R.K. Salai Branch in ISIN No.INE090A01021 valuing approximately at Rs.30,75,636.30 as on 13.02.2024. The deceased had not sold any of the shares and the same is still in the aforementioned account. The father of the petitioners is also nomore. Since the petitioners 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 to them. Therefore, they have filed this petition.



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3. After filing of this Original Petition, the petitioners were 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 petitioners, they examined PW1 and marked Ex.P.1 to Ex.P11.

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.P11, they reveal that the petitioners are the legal heirs of the deceased Annammal and during her lifetime, she had purchased the schedule mentioned property and thereafter, she died intestate, thereby, the petitioners, being the surviving legal heirs, are entitled to get those shares. The petitioners are each entitled equully to 1/3 share over the value of the shares. Therefore, they are entitled to the Succession Certificate.

5. In view of the same, this Original Petition is ***allowed.*** ***The***
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petitioners are each entitled to 1/3 share of the value of the shares and a

direction for grant of Succession Certificate in favour of the petitioners 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.

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Index : Yes/No

Speaking Order : Yes/No

mjs

List of Petitioner side Witnesses:

PW1 : Mr. S. Subramaniam Suresh
S/o. Late K.S. Subramaniam

List of Petitioner side Documents:

Exhibit No.	Date	Description of Documents
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Ex.P.1.	04.02.2020	Print out of the Death Certificate of Smt. Annammal.
Ex.P.2	18.11.2020	Photocopy of the Death Certificate of K.S. Subramaniam.
Ex.P.3	17.08.2021	Photocopy of the Legal Heir Certificate of K.S. Subramaniam.
Ex.P.4.	13.02.2024	Photocopy of the Statement of Holding issue by HDFC.
Ex.P.5	09.03.2024	Photocopy of the Power of Attorney executed by the 2nd petitioner in favour of 1st petitioner.
Ex.P.6	-	Photocopy of the Aadhar card of the 1st petitioner.
Ex.P.7.	-	Photocopy of the Certificate of Registration Overseas Citizen of India of the 2nd petitioner.
Ex.P.8.	-	Photocopy of the Aadhar card of the 3rd petitioner.
Ex.P.9.	-	Photocopy of the PAN card of the 1st petitioner.
Ex.P.10	-	Photocopy of the PAN card of the 3rd petitioner.
Ex.P.11	-	Photocopy of the Passport of the 2nd petitioner.



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