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OP No. 193 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-12-2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

OP No. 193 of 2025

1. Arun Deepak and another
S/o. C.Sivanandam, No.A 2/7, Green
Acres, Kamaraj Nagar, Perungudi,
Chennai 600 096.

2. Sarayu Krishna Sivanandam
D/o. C.Sivanandam, W/o.
R.Kailaingirinathan, NB-201 Shriram
Spandhana Apartment, Off Wind
Tunnel Road, Challaghatta, Bengaluru
South, Yemalur, Bengaluru, Karnataka
560 037.

Petitioner(s)

PRAYER: This application has been under Section 372 and 300 of Indian Succession Act read with Order XXV Rule 6 of the Original side Rules praying that a Succession Certificate may be granted 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 hereto. Net Amount of Rs.32,96,164.06/- Suc duty of Rs.25,000/- paid on 05.03.2024.

For Petitioner(s): Hari Radhakrishnan

ORDER

This petition has been filed by the petitioners praying to grant Succession



Certificate under Section 372 and 300 of the Indian Succession Act read with Order XXV Rule 6 of the Original Side Rules.

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2. According to the petitioners, they are the son and daughter of one Mr. C. Sivanandam and Mrs. S. Chandra. The parents of the petitioners died on 11.08.2010 and 15.06.2010 respectively. The petitioners are the Class I legal heirs of the deceased Mr. C. Sivanandam and Mrs. S. Chandra. The parents of the deceased Mr. C. Sivanandam predeceased him.. The said deceased died intestate and due & diligent search was made for the Will of the deceased, if any, but none was found. The deceased Mr. C. Sivanandam and Mrs. C. Chandra, during their lifetime, had jointly invested in several numbers of shares as described in schedule. The value of the said assets is approximately at Rs.32,96,164.06. The petitioners as the only legal heirs of the deceased, claim to be entitled to the estate equally. There is no other next of kin other than the petitioners. Since the petitioners are the only legal heirs of the assets of the deceased and in order to get those shares, the Succession Certificate is necessary to them. Therefore, the petitioners have filed this petition to grant succession certificate in their favour.

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.

The 1st petitioner herein has been examined as PW1 and Ex.P.1 to Ex.P.11 were marked. On a careful perusal of the evidence of PW1 and the documents Ex.P.1 to Ex.P.11, they reveal that the petitioners are the legal heirs of the deceased Mr. C. Sivanandam and the deceased had purchased some shares and securities mentioned in the Schedule of the petition and he died intestate, thereby, his legal heirs are equally entitled to get the share certificates and therefore, petitioners are entitled to the Succession Certificate.

5. In view of the same, this Original Petition is *allowed*. *The petitioners are each entitled to 1/2 share of the value of the assets and* a direction for grant of Succession Certificate in favour of 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, as applicable till the date of withdrawal, is issued .

03-12-2025

Index: Yes/No
Speaking/Non-speaking order
Internet: Yes
Neutral Citation: Yes/No
mjs

APPENDIX:

List of Petitioner side Witnesses:

PW1 : Mr. Arun Deepak

**List of Petitioner side Documents:**

Exhibit No.	Date	Description of document
Ex.P.1	-	Photocopy of the Death Certificate of Mrs. S. Chandra.
Ex.P.2	-	Photocopy of Death Certificate of Mr. C. Sivanandam.
Ex.P.3	-	Photocopy of Legal Heirship Certificate of Mrs. S. Chandra.
Ex.P.4	-	Photocopy of Legal Heirship Certificate of Mr. C. Sivanandam.
Ex.P.5	-	Downloaded copy of the account statement of Franklin Templeton Investments in respect of the shares held in the name of Mr. C. Sivanandam along with the photocopy of the request for transmission of shares.
ExP.6. (series – 2 nos.)	18.04.2022	Photocopies of the share certificates of Kesoram Textile Mills Limited standing in the name of Mrs. S. Chandra and Mr. C. Sivanandam along with the letter regarding transmission of shares.
Ex.P.7 (series – 6 nos)	17.05.2022	Photocopies of the share certificates of L & T Limited standing in the name of Mrs. S. Chandra and Mr. C. Sivanandam along with the letter regarding the transmission of shares.
Ex.P.8 (Series – 11 nos)	-	Photocopies of the share certificates of Reliance Industries standing in the name of Mrs. S. Chandra and Mr. C. Sivanandam.
Ex.P.9	27.11.2025	Email communication received from L & T regarding the shares of Mrs. S. Chandra and Mr. C. Sivanandam.
Ex.P.10	-	Certificate under Section 63(4)(c) of B.S.A. for electronic documents.
Ex.P.11	25.09.2025	Copy of paper publication effected in one issue of Tamil daily “Makkal Kural”.

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