



WEB COPY



O.P.No.22 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.11.2025

CORAM :

THE HONOURABLE MR.JUSTICE P.DHANABAL

O.P. No.22 of 2025

S.Srikanth

... Petitioner

Vs

1. Padma Srivatsa
2. Chandra Narayanan

... 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 on and negotiate and transfer the securities specified in the schedule.

For Petitioner : Mr. S. N.K.Sriraman

For Respondents : No appearance

ORDER

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.



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2. According to the petitioner, one Radha Saranathan died on 29.06.2022.

- The petitioner is the son of the said Radha Saranathan.
- The respondents are the daughters of the said Radha Saranathan

Except the above petitioner and the respondents, there are no other legal heirs to the said deceased Radha Saranathan. The said deceased Radha Saranathan, during her lifetime, had purchased 2933.985 Units at an NAV of Rs.10.2250 under the scheme TATA Infrastructure Fund Regular Plan-Growth on 31.12.2004 issued by TATA Mutual Fund and further purchased 3215.434 units at an NAV of Rs.15.21 under the Scheme 036-SBI Contra Fund-Regular Plan – IDCW on 06.06.2005 from SBI Mutual fund in the name of the deceased. The face value of the same would come around Rs.16,47,886.41. The deceased Radha Saranathan died intestate. A due and diligent search has been made for a Will, but it was not found. Since the petitioner and the respondents are the only legal heirs of the assets of the deceased and there is no other next of kin to the deceased and in order to get those shares, the Succession Certificate is necessary to them. All the respondents have no objection for the grant of succession certificate in the name of the petitioner, S.Srikanth. Therefore, the petitioner has filed this petition.



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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 was examined PW1 and marked Ex.P.1 to Ex.P6.

4. This Court also perused the entire documents including the evidences. The petitioner namely Mr. S.Srikanth has been examined as PW1 and six documents have been marked. On a careful perusal of the evidence of PW1 and the documents Ex.P.1 to Ex.P6, they reveal that the petitioner and the respondents are the legal heirs of the deceased Radha Saranathan to succeed her estates and she died intestate, thereby, the petitioner and the respondents are equally entitled to get the said amount derived from the funds. All the respondents have given their consent to grant succession certificate in favour of the petitioner and therefore, 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 petition-mentioned assets and*** a direction for grant of Succession Certificate in favour of the



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

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Index : Yes/No
Speaking Order : Yes/No
ssd

APPENDIX:

List of Petitioner side Witnesses:

PW1 : Mr. S.Srikanth

List of Petitioner side Documents:

Exhibit No.	Date	Description of Documents
Ex.P.1.	29.06.2022	Computer generated copy of the death certificate of Mrs.Radha Saranathan Issued on 29.06.2022
Ex.P.2	09.09.2022	Computer generated copy of the legal heir certificate of Mrs.Radha Saranathan issued on 09.09.2022
Ex.P.3	12.10.1959	Printout of the statement of accounts of TATA Infrastructure Fund regular plan – growth in the name of Mrs.Radha Saranathan bearing Folio No.635361/64 allotted on 31.12.2004
Ex.P.4.	06.06.2005	Printout of the statement of accounts of 036-SBI Contra Fund – Regular Plan – IDCW Having Folio no.13617371 allotted on 06.06.2005 in the name of Radha Saranathan
Ex.P.5	20.07.2025	One issue of paper publication effected in Tamil Daily 'Makkal Kural'.
Ex.P.6	-	Certificate under Section 63(4)(c) of BSA Act, 2023 filed for Exs.P.1 to P.4
Consent affidavits of respondents 1 and 2 are filed stating that they have no objection for the grant of succession certificate in favour of the petitioner, who is their brother.		



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