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O.P.No.159 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **19.08.2025**

CORAM

THE HONOURABLE **MR.JUSTICE K.KUMARESH BABU**

O.P.No.159 of 2025

1.S.Usha

2.S.Sathiyamarayanan

3.S.Ganesan

...Petitioner

Vs.

Nil

PRAYER: Original Petition filed under Section 372 of the Indian Succession Act, XXXIX of 1925 and Order XXV, Rule 6 of the Original Side Rules, 1956 praying to grant Succession Certificate in favour of the 1st petitioner viz., Mrs.S.Usha with power to collect the debt and to receive interest specified in the Schedule hereunder.

For Petitioner : Mr.V.Bharathidasan

ORDER

The petitioners seek Succession Certificate in respect of the securities held by Mr.S.Ravi, who died intestate on 28.11.2023. The petitioners are the siblings of the deceased.

2. The petitioners submit that the one Mr.K.Sundaramani got married



to one Mrs.R.Swarnambal and had begotten the deceased, petitioners 1 to 3 and one Mr.S.Balakrishnan as their children out of the said wedlock. The petitioners further submit that the deceased was married to one Mrs.S.Uma, but the couple got divorced on 18.02.1998 and deceased had no issues out of the said wedlock. The petitioners also submit that the mother of the deceased died on 18.10.2017, subsequently followed by Mr.S.Balakrishnan who is one of the brothers of the deceased died on 11.10.2019 and the father of the deceased died on 23.12.2020, all three of them predeceased the deceased. Therefore the petitioners contend that they are the only surviving legal heirs of the deceased.

3. The first petitioner has been examined as PW1. She has produced 14 documents to support her depositions, which are listed as Ex.P1 to Ex.P12 and Ex.C1 and Ex.C2 at the foot of the order. The online copy of the death certificate and the legal heirship certificate of the deceased has been marked as Ex.P5 and Ex.P6. The online copy of the death certificate of the following have been marked as follows: that of Late Mr.K.Sundaramani, the father of the deceased have been marked as Ex.P4; that of Late Mr.S.Balakrishnan, the predeceased brother of the deceased has been marked as Ex.P2 and that of Late Mrs.R.Swarnambal, the predeceased mother of the deceased is marked as Ex.P1. The perusal of Ex.P6 clearly proves that the petitioners 1 to 3 are



the only legal heirs of the deceased and substantiates the claim made in the petition, that as the legal heirs of the deceased they are entitled to succeed to the security held by the deceased. The petitioners 2 and 3 have expressed their consent to grant the succession certificate in favour of the 1st petitioner and their respective consent affidavits have been marked as Ex.C1 and Ex.C2 respectively. A paper publication has been made and no objections have been received.

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 debt and to receive the interest and dividends mentioned in the schedule to the petition.

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Index :Yes/No



Petitioner's witness:

P.W.1 – Mrs.S.Usha

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Documents exhibited by the petitioner:

Exhibits	Documents
Ex.P1	Photocopy of the Divorce Petition (FCOP.No.144 of 1998) dated 18.02.1998. (Truecopy produced, compared and returned)
Ex.P2	Online copy of the Death Certificate of R.Swarnambal mother of the deceased dated 19.09.2024.
Ex.P3	Online copy of the Death Certificate of S.Balakrishnan, brother of the deceased dated 22.10.2019.
Ex.P4	Online copy of the Death Certificate of K.Sundaramani , father of the deceased dated 02.03.2022.
Ex.P5	Online copy of the Death Certificate of S.Ravi dated 09.12.2023.
Ex.P6	Online copy of the Legal Heir Certificate of Mr.S.Ravi dated 05.02.2024.
Ex.P7	Photocopy of the Aadhar Card of the deceased Mr.S.Ravi. (Original produced, compared and returned)
Ex.P8	Photocopy of the Aadhar Card of the 1 st petitioner, S.Usha. (Original produced, compared and returned)
Ex.P9	Photocopy of the Aadhar Card of the 2 nd petitioner, S.Sathiyarayanan. (Original produced, compared and returned)
Ex.P10	Photocopy of the Aadhar Card of the 3 rd petitioner, Ganesan Sundaramani. (Original produced, compared and returned)
Ex.P11	Photocopy of the letter from State Bank of India dated 27.05.2024. (Original produced, compared and returned)
Ex.P12	Original letter from State Bank of India dated 11.12.2024.
Ex.C1	Consent affidavit of Mr.S.Sathiyarayanan, 2 nd petitioner.
Ex.C2	Consent affidavit of Mr.S.Ganesan, 3 rd petitioner.



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