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O.P. No.294 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.09.2025

CORAM :

THE HONOURABLE MR.JUSTICE P.DHANABAL

O.P. No.294 of 2025

1. V. Ramanathan S/o. Venkatraman
2. Kumar Ramanathan S/o. V. Ramanathan
3. Rajesh Ramanathan S/o. V. Ramanathan
4. Yamini Ramanathan D/o. V. Ramanathan ... 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 in favour of the 2nd 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 Petitioners : Mr. Bhavani Kesavan for
M/s. C.K.M. Appaji

ORDER

This petition has been filed by the petitioners praying to grant



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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 petitioners, the deceased Mrs. Nalini Ramanathan is the mother of the petitioners 2 to 4 and wife of the 1st petitioner and she died on 04.05.2021 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 schedule mentioned securities invested in the Demat account of the deceased in the HDFC Bank, R.K. Salai in D.P. Account No.43488047, DPID No.300476 and accrued interest valuing approximately at Rs.2,20,12,937.17. The 4th petitioner is the differently abled person, suffering from 90% Locomotor Disability and on 21.03.2022, the District Collector, Chennai had appointed one Mr. Vinod Selvarajan, as Limited Guardian of the 4th petitioner for a period of 2 years for the purpose of taking decision regarding care, maintenance and bank transaction. The 2nd petitioner is the son of the deceased Mrs. Nalini Ramanathan and this petition

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has been filed to issue a Succession Certificate in respect of the above said

securities in favour of the 2nd petitioner. The petitioner undertakes to disburse the respective shares of the other petitioners including the 4th petitioner. Since the petitioners are the only legal heirs of the assets and in order to transfer the above said shares in favour of the 2nd petitioner, the Succession Certificate is necessary to them. Therefore, they have filed this petition.

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.P9.

4. This Court also perused the entire documents including the evidence of PW1. On a careful perusal of the evidence of PW1 and the documents

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Ex.P.1 to Ex.P9, they reveal that the petitioners are the legal heirs of the

deceased Nalini Ramanathan and during her lifetime, she owned schedule mentioned securities and thereafter, she died intestate, thereby, the petitioners, being the surviving legal heirs, are entitled to get those shares. PW1 has categorically stated about the legal heirship of the deceased. Therefore, this Court is of the opinion that the petitioners have proved that they are the legal heirs of the deceased. Now the value of the shares as per the petition is Rs.2,20,12,937.17. No any rival claims and no any objections made by anybody for the claim of the petitioners. The petitioners are each, equally entitled to 1/4 share over the value of the shares.

5. During the pendency of this petition, the 1st petitioner died on 25.05.2024. The death Certificate of the 1st petitioner along with a memo has been filed by the petitioners. Therefore, the petitioners 2 to 4, being legal heirs of the 1st petitioner, are each entitled equally 1/3 share over the total value of the shares. Further the petitioners prayed to issue Succession

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Certificate in favour of the 2nd petitioner and other petitioners have no

objection to issue Succession Certificate in the name of the 2nd petitioner herein as prayed for in the petition. The 2nd petitioner has also undertaken to disburse the respective shares of the other petitioners including the 4th petitioner.

6. In view of the same, this Original Petition is *allowed*. *The petitioners are each entitled to 1/3 share of the total value of the shares and* a direction for grant of Succession Certificate in favour of the 2nd petitioner with power to collect the 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

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List of Petitioner side Witnesses:

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PW1 : Mr. Kumar Ramanathan

List of Petitioner side Documents:

Exhibit No.	Date	Description of Documents
Ex.P.1.	11.05.2021	Death Certificate of Late Mrs. Nalini Ramanathan.
Ex.P.2	02.06.2021	Photocopy of the Holding Statement of HDFC Bank.
Ex.P.3	30.07.2021	Photocopy of the Legal Heir Certificate of Mrs. Nalini Ramanathan.
Ex.P.4.	16.01.2024	Photocopy of the Email correspondence of the petitioners.
Ex.P.5	-	Photocopy of the Disability Passbook of the petitioner.
Ex.P.6	-	Disability Certificate of the 4th petitioner issued by Regional Medical Board.
Ex.P.7.	21.03.2022	Photocopy of the Order of District Collector appointing a Guardian for the 4th petitioner.
Ex.P.8.	22.05.2024	Photocopy of the Order of District Collector appointing a Guardian for the 4th petitioner (Renewal)
Ex.P.9.	06.06.2024	Photocopy of the Death Certificate of Late V. Ramanathan.



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