



O.P.No.305 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.11.2025

CORAM:

THE HONOURABLE MR. JUSTICE P.DHANABAL

O.P.No.90 of 2025

Gopi Cuttackam

... Petitioner

VS.

1.C.Seshagiri

2.Churendar Catakam

... Respondents

PRAYER: Original Petition filed under Section 372 of the Indian Succession Act, read with Order XXV Rule 6 of the Original Side Rules of this Court, praying to grant a succession certificate with power to collect securities and to receive interest, dividends thereon and negotiate and transfer the securities specified in the schedule.

For Petitioner : Mr.R.R.Pradheep

For Respondents : No appearance

ORDER

The petitioner has filed this petition praying to grant Succession Certificate with power to collect securities and to receive interest, dividends thereon and negotiate and transfer the securities specified in the



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schedule.

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2. According to the petitioner, the first respondent is the father and the second respondent is the brother. The mother of the petitioner and the second respondent and wife of the first respondent namely JothiBai Beeram @ JothiBai.B died intestate on 30.01.2002 leaving behind the petitioner and the respondents as legal heirs. During her life time, she purchased HDFC Bank Limited shares to the tune of 3000 numbers. When the petitioner approached the concerned authority, they instructed to get the Succession Certificate from the appropriate Court. As the petitioner and the respondents are the legal heirs of the deceased, they are entitled to equal shares to the said share certificates. The respondents have filed consent affidavit for granting Succession Certificate in favour of the petitioner. The Succession Certificate is required for the purpose of transferring the securities in his favour. Hence, the petitioner has approached this Court for grant of Succession Certificate in favour of him with power to collect the debts and securities and to receive the interests and dividends and negotiate transfer the securities as specified in the schedule. Therefore, the petitioner has filed this Original 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.

4. In order to prove the case of the petitioner, he was examined as P.W.1 and marked nine documents as Ex.P1 to Ex.P9.

5. This Court also perused the entire documents including the evidence.

6. On a careful perusal of the evidence of P.W.1 and Ex.P1 to Ex.P9, they revealed that Mrs.JothiBai Beeram @ JothiBai.B, who is the mother of the petitioner and second respondent and wife of the first respondent, died on 30.01.2002. During her lifetime, she purchased **HDFC BANK LIMITED** shares, and now the available quantity is 3,000, valued at about (i.e., 3,000 shares * Rs.1,610/-) Rs.48,30,000/- (Fourth Lakhs Thirty Thousand Only) on the date of filing of this petition. The



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petitioner and the respondents, who are the legal heirs of the deceased Mrs.JothiBai Beeram @ JothiBai.B, are entitled to a Succession Certificate, for the share certificate standing in the name of Mrs.JothiBai Beeram @ JothiBai.B. The respondents have filed consent affidavit for granting Succession Certificate in favour of the petitioner. Therefore, the petitioner is entitled to the Succession Certificate.

7. In view of the same, this Original Petition is **allowed**. **The petitioner and the respondents are entitled to the value of the shares**, and a direction for the grant of a Succession Certificate in favour of the petitioner, **Mr. Gopi Cuttackam, S/o. Mr.C.Seshagiri**, with the power to collect the debts and to receive 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 / Non-speaking order
mtl



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APPENDIX:

List of Petitioners side Witnesses:

P.W.1 : Mr.Gopi Cuttackam

List of Petitioners side Documents:

Exhibit No.	Date	Description of Documents
Ex.P1	19.08.2024	Computer generated Death Certificate of Mrs.JothiBai.B
Ex.P2	19.08.2023	Letter from Datamatics Business Solutions
Ex.P3	28.05.2023	Email Communication from Datamatics Business Solutions
Ex.P4	-----	PAN Card of the petitioner (Photostat copy)
Ex.P5	-----	Aadhar Card of the petitioner (Photostat copy)
Ex.P6	-----	Aadhar Card of the first respondent (Photostat copy)
Ex.P7	-----	Aadhar Card of the second respondent (Photostat copy)



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Ex.P8	03.11.2025	Certificate under Section 63 of Bharatiya Sakshya Adhinayam, 2023
Ex.P9	23.08.2025	The Copy of the paper publication effected in one issue of Tamil daily “Makkal Kural” dated 23.08.2025.

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