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O.P.No.138 of 2025

IN THE HIGH COURT OF JUDICATUE AT MADRAS

DATED: 16.09.2025

CORAM

THE HONOURABLE **MR. JUSTICE P.DHANABAL**

O.P.No.138 of 2025

- 1.Sitaraman Swaminathan
- 2.Meenakshi Swaminathan
- 3.Kousalya Swaminathan
- 4.Viswanathan Swaminathan

...Petitioners

Prayer:- Original Petition is filed under Section 372 of the Indian Succession Act, 1925, read with Order XXV, Rule 6 of the Madras High Court Original Side Rules, praying to grant a succession certificate to and in favour of the first petitioner with the power to collect the securities and to receive interest, dividends thereon and negotiate and transfer the securities as specified in the schedule.

For Petitioners : Ms.K.S.Begum



O.P.No.138 of 2025

ORDER

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The petitioners have filed this petition under Section 372 of the Indian Succession Act, 1925, seeking for issuance of Succession Certificate in favour of the first petitioner in respect of the schedule mentioned securities.

2. It is averred in the petition that the deceased Chandrika Swaminathan died on 12.06.2021, leaving behind her children/petitioners herein. The deceased Chandrika Swaminathan's husband predeceased her. It is also averred that during her lifetime, the deceased Chandrika Swaminathan had purchased 3830 shares of ITC limited; and 600 shares of SBI-EQ. The total value of the both funds works out to Rs.24,00,500/-. Since the petitioners are the legal heirs of the deceased Chandrika Swaminathan, they are entitled to equal share of the said value. The petitioners 2 to 4 have filed a consent affidavit stating that they have no objection to grant succession certificate in favour of the first petitioner.

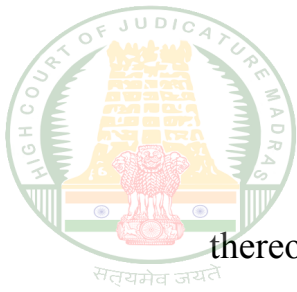


O.P.No.138 of 2025

3. Paper publication has been effected. There is no objector objecting issuance of Succession Certificate in favour of the first petitioner.

4. The first petitioner himself examined as P.W.1 and Exs.P1 to P7 were marked. Ex.P1 is the death certificate of the deceased Chandrika Swaminathan; Ex.P2 is the legal heir certificate; Ex.P3 is the death certificate of Mr.Swaminathan, husband of the deceased Chandrika Swaminathan; Exs.P4 & P5 are the original letters received from SBI securities dated 31.07.2024 and 13.01.2025; Ex.P6 is the paper publication effected in a Tamil Daily “Makkal Kural”, dated 01.06.2025; and Ex.P7 is the certificate under Section 63(4)(c) of BSA Act filed for Exs.P1 & P2.

5. A bare perusal of the aforesaid oral and documentary evidence would reveal that the petitioners have proved their case for grant of Succession Certificate in favour of the first petitioner. Accordingly, this petition is allowed and the Succession Certificate is issued in favour of the first petitioner with the power to receive interest and dividends



O.P.No.138 of 2025

thereon and negotiate and transfer securities morefully described in the
schedule.

16.09.2025

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Index:yes/no

Neutral Citation: yes/no

Petitioner's witness:

P.W.1 – Mr.Sitaraman Swaminathan

Documents marked:

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Death certificate of the deceased Chandrika Swaminathan
Ex.P2	Legal heir certificate
Ex.P3	Death certificate of Mr.Swaminathan, husband of the deceased Chandrika Swaminathan.
Exs.P4 & P5	Original letters received from SBI securities dated 31.07.2024 and 13.01.2025
Ex.P6	Paper publication effected in a Tamil Daily “Makkal Kural”, dated 01.06.2025.
Ex.P7	Ex.P7 is the certificate under Section 63(4)(c) of BSA Act filed for Exs.P1 & P2.

16.09.2025

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WEB COPY



O.P.No.138 of 2025

P.DHANABAL, J.

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O.P.No.138 of 2025

16.09.2025