



WEB COPY

OP No. 229 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-01-2026

CORAM

THE HON'BLE MR.JUSTICE P. DHANABAL

OP No. 229 of 2024

1. Mrs.Neelambal and 6 Others

D/o.Sabharajan,

W/o.Rathinasabapathy,

2. K.S.Siva Kumar (Deceased)

S/o.Sabharajan,

3. S.Manimekalai

D/o.Sabharajan,

4. Sambandham (Deceased)

S/o.Rathinasabapathy,

5. Hari Devi

D/o.Sambandham,

(4th petitioner died. 5th petitioner recognized as legal heir of the deceased 4th petitioner and amendment carried out as per order dated 05.08.2025 in A.No.3700 of 2025 in OP.No.229/2024 and time extended by order dated 26.09.2025 in A.No.4238/2025 in OP.No.229/2024)



6. S.Ranjani

D/o.Late Siva Kumar,

7. S.Kiruthika

D/o.Late Siva Kumar,

(Petitioners 6 and 7 brought on record as legal

heirs of the deceased 2nd petitioner and

amendment carried out as per order dated

26.09.2025 in A.No.4238/2025 in

O.P.No.229/2024)

..Petitioner(s)

Vs

No Respondent

Nil

..Respondent(s)

PRAYER: The Original Petition has been filed under Section 327 of Indian Succession Act read with Order XXV Rule 6 of Madras High Court Original Side Rules praying that a Succession Certificate may be granted to the petitioners with power to collect the securities and to receive the interest and dividends thereon and negotiate and transfer the securities specified in the schedule hereto.

For Petitioner(s):

M/s.R.Varalakshmi

ORDER

This petition has been filed by the petitioners praying to grant Succession



Certificate under Section 372 of the Indian Succession Act read with Order XXV Rule 6 of the Original Side Rules.

WEB COPY

2. According to the petitioners, one Sundarambal and the petitioners 1 to 3 are the son and daughters of the deceased K. Sabharajan. The wife of the deceased namely Mrs. Thaiya Nayagi predeceased him on 07.02.1992. The parents of the deceased K. Sabharajan predeceased him. Since the elder daughter Sundarambal died and also her husband Sambandham, who is the 4th petitioner herein, also died, their legal heir namely Hari Devi was impleaded as 5th petitioner. Further, the son of the deceased K. Sabharajan also died, his legal heirs have been impleaded as 6th and 7th petitioners herein.

2.1. The deceased K. Sabharajn, during his life time, had purchased 9075 shares in City Union Bank in his name and each share valued at the rate of Rs.137.60/- and totally valued at Rs.12,48,720/-. The petitioners as the only legal heirs of the deceased, claim to be entitled to the estate equally. There is no other next of kin other than the petitioners. Since the petitioners are the only legal heirs of the assets of the deceased and in order to get those shares, the Succession Certificate is necessary to them. Therefore, the petitioners have filed this petition to grant succession certificate in their favour.

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.P12.

WEB COPY

4. This Court also perused the entire documents including the evidences. The 6th petitioner herein has been examined as PW1 and Ex.P.1 to Ex.P.12 were marked. On a careful perusal of the evidence of PW1 and the documents Ex.P.1 to Ex.P12, they reveal that the petitioners are the legal heirs of the deceased Mr. K. Sabharajan and the deceased had purchased some shares and securities mentioned in the Schedule of the petition and he died intestate, thereby, his legal heirs are equally entitled to get the share certificates and therefore, petitioners are entitled to the Succession Certificate.

5. In view of the same, this Original Petition is *allowed*. *The petitioners 1,3 and 5 are each entitled to 1/4 share of the value of the assets and the petitioners 6 and 7 are, together, entitled to 1/4 share of the value of the assets and* a direction for grant of Succession Certificate in favour of the petitioners with power to collect the 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.

19-01-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

MJS

**APPENDIX:****List of Petitioner side Witnesses:**

PW1 : Ms. S. Ranjani

List of Petitioner side Documents:

Exhibit No.	Date	Description of document
Ex.P.1	-	Photocopy of the Death Certificate of Mr. Sabharajan.
Ex.P.2	-	Photocopy of the Legal Heirship Certificate of Mr. Sabharajan.
Ex.P.3	-	Photocopy of the Death Certificate of Mrs. Thaiyanayaki.
Ex.P.4	-	Computer generated Legal Heirship Certificate of Mrs. Sundarambal.
Ex.P.5	-	Photocopy of the Aadhar Card of Mrs. Neelambal Rathinasabapathy.
Ex.P.6.	-	Photocopy of the Aadhar Card of Mr. Sivakumar Sabharajan.
Ex.P.7	-	Photocopy of the Aadhar Card of Mrs. Sabharajan Manimekalai.
Ex.P.8	-	Photocopy of the Aadhar Card of Mrs. Hari Devi
Ex.P.9	-	Email Communication dated 06.01.2023 regarding the shares held by Mr. Sabharajan.K.
Ex.P.10	15.02.2024	Downloaded copy of the share value.
Ex.P.11	-	Certificate under Section 63 of BSA for electronic documents.
Ex.P.12	26.06.2024	Copy of the paper publication effected in one issue of Tamil daily "Dina Kural".

19.01.2026



WEB COPY

OP No. 229 of 2



P.DHANABAL, J.

MJS

OP No. 229 of 2024

19-01-2026