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OP No. 461 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-01-2026

CORAM

THE HON'BLE MR.JUSTICE P. DHANABAL

OP No. 461 of 2025

1. B.Balavelayudham
S/o. Late D.Balasundaram,
51, Coconut Grove, 12th Street,
Tansi Nagar, Velachery,
Chennai 600 042.
2. S.Padmavathi
D/o. Late D.Balasundaram,
Door No.21/5, 4th avenue,
Indira Nagar, Chennai 600 020.
3. B.Baskaran
S/o. Late D.Balasundaram,
Door No.21/5, 4th Avenue,
Indira Nagar, Chennai 600 020.

..Petitioner(s)

Vs

Nil

..Respondent(s)

Prayer:

Petition filed under Order XXV Rule 6 of O.S.Rules and Part 10 of the Indian Succession Act r/w Section 372 and Section 300(1) of the Indian Succession Act to grant a Succession Certificate to the first petitioner herein with power to collect the debts and to receive dividends, negotiate and transfer debts specified in the schedule hereunder.



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For Petitioner(s):

Ms.S.Bharathi

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ORDER

This petition has been filed by the petitioners praying to grant Succession Certificate under Order XXV Rule 6 of O.S.Rules and Part 10 of the Indian Succession Act r/w Sections 372 and 300(1) of the Indian Succession Act.

2. According to the petitioners, one Natarajan Balasundaram died on 10.11.2024, as a bachelor. The parents of the deceased Natarajan Balasundaram are no more.

- The petitioners 1 and 3 are the younger brothers of the deceased Natarajan Balasundaram.
- The 2nd petitioner is the younger sister of the deceased Natarajan Balasundaram.

Except the above petitioners, there are no other legal heirs to the said deceased Natarajan Balasundaram. The said deceased Natarajan Balasundaram, during his lifetime, had purchased some bonds in the company viz., REC-Capital Gains Tax Exemption Bonds in his name. The face value of the said shares would come around Rs.28,30,000/-. The deceased Natarajan Balasundaram died intestate. A due and diligent search



has been made for a Will, but it was not found. Since the petitioners are the only Class-II legal heirs of the assets of the deceased and there is no other next of kin to the deceased and in order to get those bonds, the Succession Certificate is necessary to them. The petitioners 2 and 3 have given consent affidavits for the grant of succession certificate in the name of the 1st petitioner, viz., B.Balavelayudham. 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.P8.

4. This Court also perused the entire documents including the evidences. The 1st petitioner namely Mr.B.Balavelayudham has been examined as PW1 and 8 documents have been marked. On a careful perusal of the evidence of PW1 and the documents Ex.P.1 to Ex.P8, they reveal that the petitioners are the legal heirs of the deceased Natarajan Balasundaram to succeed his estates and he died intestate, thereby, the petitioners are equally entitled to get the bond certificates. The petitioners 2 and 3 have given their consent to grant succession certificate in favour of the 1st petitioner and therefore, 1st petitioner is entitled to the Succession Certificate.



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5. In view of the same, this Original Petition is **allowed**. **The 1st petitioner is entitled to the value of the petition-mentioned assets and a direction for grant of Succession Certificate in favour of the 1st petitioner with power to collect the securities and to receive the interest and dividends on and negotiate and for terminal benefits, if any, specified in the Schedule, as applicable till the date of withdrawal, is issued.**

20.01.2026

Index : Yes/No
Speaking Order : Yes/No
ssd

APPENDIX:

List of Petitioners side Witnesses:

PW1 : Mr.B.Balavelayudham

List of Petitioners side Documents:

Exhibit No.	Date	Description of Documents
Ex.P.1.	-	Computer generated death certificate of Mr.Natarajan Balasundaram
Ex.P.2	-	Computer Generated legal heirship certificate of Mr.Natarajan Balasundaram
Ex.P.3	-	Downloaded copy of the REC 54EC Capital Gain Tax Exemption Bond Series XVII of Mr.Balasundaram Natarajan bearing Application Form No.5428693
Ex.P.4.	-	Downloaded copy of the REC 54EC capital gain tax exemption bond series XVII of Mr.Balasundaram Natarajan, bearing Application Form No.5428694



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Ex.P.5	-	Downloaded copy of the REC 54EC capital gain tax exemption bond series XVII of Mr.Balasundaram Natarajan, bearing Application Form No.5428692
Ex.P.6	-	Downloaded copy of the transaction statement cum billing for the period 01.04.2024 to 03.04.2024 of the SBI Securities.
Ex.P.7.	17.11.2025	Paper publication effected in one issue of Tamil daily 'Malai Tamilagam'
Ex.P.8.	-	Certificate under Section 63(4)(C) of BSA

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Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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