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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.04.2026

CORAM:

THE HON'BLE DR.JUSTICE A.D.MARIA CLETE

O.P.No.281 of 2025

J.Sarala devi

...Petitioner

vs.

Mr.J.Balu

... Respondent

PRAYER: This Original Petition has been filed under Order XXV Rule 6 of the Madras High Court Original Side Rules, praying to a Succession Certificate may be granted to the Petitioner with power to collect the debts and to receive the interest specified in the Schedule hereto.

For Petitioner : M/s.S.Sivaprakasam

For Respondent : M/s.S.B.Priyadarshini

ORDER

This Original Petition has been filed under Section 372 of the Indian Succession Act, 1925, seeking grant of Succession Certificate in respect of the terminal and service benefits left by late J. Andal, who died intestate. The petitioner is J. Sarala Devi, daughter of the deceased. The sole respondent is J. Balu.



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5. The sole respondent had entered appearance through counsel and that succession duty had been paid, but still directed general paper publication in a Tamil daily. Thereafter, publication was ultimately effected in “Makkal Kural” dated 29.01.2026, and the petitioner filed memo regarding such publication. The learned Master, by order dated 13.02.2026, recorded that general paper publication had been effected, affidavit of service had been filed, service had been completed, and no objection was raised pursuant to the publication.

6. On 05.03.2026, the petitioner was examined as P.W.1. She marked Exs.P1 to P6 and no oral or documentary evidence was adduced on the side of the respondent. On 05.03.2026 the master recorded that the respondent’s counsel represent that they have no cross, no oral evidence and endorsed no objection in allowing the petition.

7. On the basis of the oral and documentary evidence, this Court finds that the petitioner has established the essential facts required for grant of succession certificate. The deceased J. Andal was an employee of Southern



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Railway. She died intestate on 07.11.2017. The petitioner has produced the death certificate and legal heir certificate and has deposed that she is the daughter and legal heir of the deceased. The Railway authorities themselves have not denied the existence of settlement dues, but have required production of a succession certificate before settlement. The petitioner has also disclosed the approximate value of the claim as Rs.8,00,000/-. Moreover, the learned counsel for the respondent also stated that there was no objection in allowing the petition before the Master.

8. In the result, this Original Petition is **allowed**. **The petitioner is entitled to the value of the petition-mentioned assets** and a direction for grant of Succession Certificate in favour of the petitioner with power to collect the debts 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.

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Petitioner's witness:

Mrs.J.Sarala Devi

Documents exhibited by the petitioner:

Exhibits	Documents
P1	Photocopy of the identity card of Mrs.J.Andal
P2	Photocopy of the death certificate of Mrs.J.Andal
P3	Photocopy of the legal heirship certificate of Mrs.J.Andal
P4	Photocopy of the letter dated 24.06.2024 sent by Mrs.J.Sarala Devi to the Senior Deputy Personal Officer / MAS, Division Office, Park Town, Chennai.
P5	Photocopy of the letter dated 18.07.2024 sent by Southern Railway to Mrs.J.Sarala Devi
P6	Copy of the paper publication effected in one issue of Tamil daily "Makkal Kural" dated 29.01.2026.

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DR.A.D.MARIA CLETE, J.

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