

IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 03-09-2026**

CORAM

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

**OP No. 127 of 2025**

1. M.L.Venkatasamy  
S/o. V.Lakshmipathy,  
New No.2, Old No.109,  
Ellaiaimman Koil Street,  
West Mambalam, Chennai 33.
2. M.L.Shyamala  
D/o. V.Lakshmipathy,  
105/43, K.R.Kovil Street,  
West Mambalam, Chennai 33.
3. M.L.Nirmala  
D/o. V.Lakshmipathy,  
15, 1st Floor, Ashram Avenue,  
Mugalivakkam, Kancheepuram,  
Chennai 600 125.
4. M.L.Vimala  
D/o. V.Lakshmipathy,  
No.104, Royal Space Enclave,  
Sri Nagar Colony,  
Sullurpet (opp.Chengalamma Temple),  
Tirupathi District 524 121.
5. M.L.Kamala  
D/o.V.Lakshmipathy,  
16, 1st Floor, 13th Cross Street,  
Anna Nagar, Nallithoppe S.O.,  
Nellithoppe, Pondicherry - 605 005.
6. R.S.Mirudula  
D/o.M.L.Komala (Deceased) and  
R.Sethulingam,  
Sai Kamakshi, No.1B, 1st Floor,  
Gandhi Street, West Mambalam,  
Chennai - 600 033.

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7. R.S.Siddharth  
S/o.M.L.Komala (Deceased)  
and R.Sethulingam,  
Sai Kamakshi, No.1B, 1st Floor,  
Gandhi Street, West Mambalam,  
Chennai - 600 033.

..Petitioner(s)

Vs

No Respondent  
Nil

..Respondent(s)

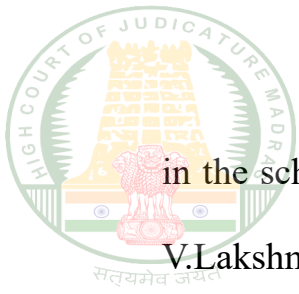
**PRAYER** – Original Petition filed under Section 372 of the Indian Succession Act, 1956 read with Order XXV Rule 6 of High Court O.S. Rules, that a Succession Certificate may be granted to the 1st petitioner M L Venkatasamy with power to collect the debts and to receive the interest as specified in the schedule hereunder Net Amount Rs.15,57,754.40 Suc. duty of Rs.25,000/- paid on 21.11.2024.

For Petitioner(s): Mr.P.Sankaranarayanan

### **ORDER**

This Original Petition has been filed under Section 372 of the Indian Succession Act, 1925, read with Order XXV Rule 6 of the Original Side Rules, seeking grant of Succession Certificate in favour of the first petitioner in respect of the debts standing in the name of late M.L.Parimala, with power to collect the securities and to receive the interest and dividends on and negotiate and transfer the securities specified in the schedule hereto.

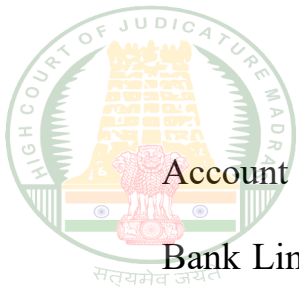
2. It is the case of the petitioners that the deceased M.L.Parimala, who is a spinster, died on 04.04.2021 intestate, leaving behind the properties mentioned



in the schedule to this petition. The parents of the deceased M.L.Parimala viz., V.Lakshmipathi and L.Rajeswari pre-deceased her. The petitioners 1 to 5 and one M.L.Komala are the siblings of the deceased M.L.Parimala. The said M.L.Komala pre-deceased M.L.Parimala on 20.05.2013, leaving behind the petitioners 6 and 7 as her legal heirs. Hence, the petitioners 1 to 5, as class I legal heirs and petitioners 6 and 7, as class II legal heirs have filed this Original Petition seeking to grant Succession Certificate in favour of the first petitioner with the power to collect the securities, to receive interest and dividend thereon.

3. The deceased had a Tata AIA Life Insurance Gold Income Plan Policy and amounts standing to her credit in a Savings Bank Account and a Fixed Deposit Receipt with the Tamil Nadu State Apex Co-operative Bank Limited, West Mambalam Branch, totally worth Rs.15,57,754.40/-. In order to transfer those debts mentioned in the schedule herewith in favour of the petitioners who are the legal heirs of the deceased, Succession Certificate is required. Hence, the present petition has been filed.

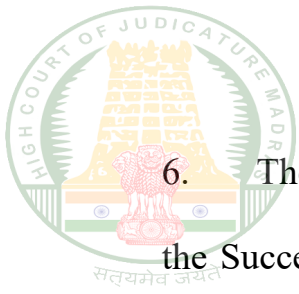
4. Before the Learned Masters, the 1<sup>st</sup> petitioner, who was examined as P.W.1, has marked the documents on the petitioners' side. Ex.P1 is the photocopy of the TATA AIA Life Insurance Gold Income Plan Policy issued by Tata AIA Life Insurance Company Limited vide policy No.C226791012 dated 15.09.2017; Ex.P2 is the photocopy of Pass Book of SB Account bearing



Account No.236017700 held with the Tamil Nadu State Apex Co-operative Bank Limited, West Mambalam Branch (compared with original); Ex.P3 is the

photocopy of the Fixed Deposit Receipt bearing No.164562 dated 03.01.2022 held with the Tamil Nadu State Apex Co-operative Bank Limited, West Mambalam Branch; Ex.P4 is the photocopy of the Death Certificate of M.L.Parimala dated 20.04.2021; Ex.P5 is the photocopy of the legal heir certificate of M.L.Parimala dated 11.08.2021; Ex.P6 is the print of E-Aadhaar of the first petitioner (Certificate under Section 63(4)(c) of BSA filed); Ex.P7 is the print of E-Aadhaar of the second petitioner (Certificate under Section 63(4)(c) of BSA filed); Ex.P8 is the print of E-Aadhaar of the third petitioner (Certificate under Section 63(4)(c) of BSA filed); Ex.P9 is the print of E-Aadhaar of the fourth petitioner (Certificate under Section 63(4)(c) of BSA filed); Ex.P10 is the print of E-Aadhaar of the fifth petitioner (Certificate under Section 63(4)(c) of BSA filed); Ex.P11 is the print of E-Aadhaar of the sixth petitioner (Certificate under Section 63(4)(c) of BSA filed); Ex.P12 is the print of E-Aadhaar of the seventh petitioner (Certificate under Section 63(4)(c) of BSA filed) and Exs.P13 to P18 are the consent affidavits of the petitioners 2 to 7.

5. The petitioners 2 to 7 have expressed their willingness and consent to the grant of a Succession Certificate in favour of the first petitioner by filing separate consent affidavit before the learned Master.



6. There is no rival claimant before this Court. The debt/security for which the Succession Certificate is sought has been clearly described in the schedule to the petition as shares in the name of TATA AIA Life Insurance Ltd., The Tamilnadu State Apex Cooperative Bank Limited, totally valued at Rs.15,57,754.40/-.

7. This Court is satisfied, from the pleadings, oral evidence and documents, that the late M.L.Parimala, died on 04.04.2021; and that the petitioners are her surviving legal heirs. For processing the share claim in TATA AIA Life Insurance Ltd., The Tamilnadu State Apex Cooperative Bank Limited specified in the schedule hereto, the petitioners have made out a case for the grant of a Succession Certificate. There is no legal impediment under Section 370 of the Indian Succession Act, 1925, to the grant of the certificate.

8. Accordingly, this Original Petition is allowed. A Succession Certificate shall be granted in favour of the 1<sup>st</sup> petitioner viz., **M.L.Venkatasamy**, empowering him to collect the securities together with accrued interest and other accretions, if any, 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. No costs.

**03-09-2026**

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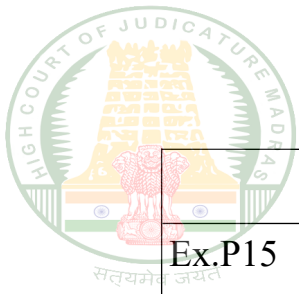


**List of witnesses examined on the side of the petitioners:**

P.W.1 –M.L.Venkatasamy

**List of documents marked on the side of the petitioners:**

|        |                                                                                                                                                                                     |
|--------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Ex.P1  | photocopy of the TATA AIA Life Insurance Gold Income Plan Policy issued by Tata AIA Life Insurance Company Limited vide policy No.C226791012 dated 15.09.2017.                      |
| Ex.P2  | The photocopy of Pass Book of SB Account bearing Account No.236017700 held with the Tamil Nadu State Apex Co-operative Bank Limited, West Mambalam Branch (compared with original); |
| Ex.P3  | photocopy of the Fixed Deposit Receipt bearing No.164562 dated 03.01.2022 held with the Tamil Nadu State Apex Co-operative Bank Limited, West Mambalam Branch;                      |
| Ex.P4  | photocopy of the Death Certificate of M.L.Parimala dated 20.04.2021;                                                                                                                |
| Ex.P5  | photocopy of the legal heir certificate of M.L.Parimala dated 11.08.2021;                                                                                                           |
| Ex.P6  | the print of E-Aadhaar of the first petitioner (Certificate under Section 63(4)(c) of BSA filed);                                                                                   |
| Ex.P7  | the print of E-Aadhaar of the second petitioner (Certificate under Section 63(4)(c) of BSA filed);                                                                                  |
| Ex.P8  | print of E-Aadhaar of the third petitioner (Certificate under Section 63(4)(c) of BSA filed);                                                                                       |
| Ex.P9  | the print of E-Aadhaar of the fourth petitioner (Certificate under Section 63(4)(c) of BSA filed);                                                                                  |
| Ex.P10 | print of E-Aadhaar of the fifth petitioner (Certificate under Section 63(4)(c) of BSA filed);                                                                                       |
| Ex.P11 | the print of E-Aadhaar of the sixth petitioner (Certificate under Section 63(4)(c) of BSA filed);                                                                                   |
| Ex.P12 | the print of E-Aadhaar of the seventh petitioner (Certificate under Section 63(4)(c) of BSA filed);                                                                                 |
| Ex.P13 | The consent affidavits of the 2 <sup>nd</sup> petitioner.                                                                                                                           |
| Ex.P14 | The consent affidavits of the 3 <sup>rd</sup> petitioner.                                                                                                                           |



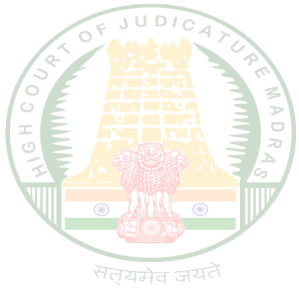
|        |                                                           |
|--------|-----------------------------------------------------------|
|        |                                                           |
| Ex.P15 | The consent affidavits of the 4 <sup>th</sup> petitioner. |
| Ex.P16 | The consent affidavits of the 5 <sup>th</sup> petitioner. |
| Ex.P17 | The consent affidavits of the 6 <sup>th</sup> petitioner. |
| Ex.P18 | The consent affidavits of the 7 <sup>th</sup> petitioner. |

**List of Witnesses examined on the side of the respondents: Nil**

**List of Documents marked on the side of the respondents: Nil**

**03.09.2026**

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**DR.A.D.MARIA CLETE J.**

**GSA**

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