



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-07-2026

CORAM

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

OP No. 559 of 2025

1. S.Sivashaanthini and another
W/o. T.J.Selvavasan,
5/2, Gejalakshmi Colony 2nd Street,
Shenoy Nagar,
Chennai 600 030.
2. Malathishree Raguramamoorthy
W/o. Raghuramamoorthy,
No.2/874, G.R.Nagar West Street,
Kannanendal,
Madurai North, K.Pudhur,
Madurai 625 007.

..Petitioners

Vs

No Respondent
Nil

..Respondent(s)

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PRAYER: This petition is filed under Section 372 of the Indian Succession Act, 1925 read with Order XXV Rule 6 of the Original Side Rules, praying that a succession certificate may be granted to the petitioners with power collect the debts and to receive the interest and dividends on and negotiate and transfer the securities specified in the schedule hereto. Net amount of Rs.21,17,200/- Suc duty of Rs.25,000/- paid on 27.03.2025.

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For Petitioner(s):

M/s.M.A.Prashanthkumaran



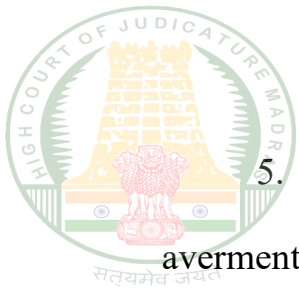
Order

This Original Petition has been filed under Section 372 of the Indian Succession Act, 1925, seeking grant of a Succession Certificate in favour of the petitioners in respect of the assets stated in the schedule to the petition.

2. The petitioners are the sisters of late M.K. Prem Anand, who died intestate and unmarried on 08.11.2018 at Chennai. His father, M. Kumaravel, and mother, K. Rajammal, had predeceased him on 08.01.1994 and 08.06.2018 respectively. The petitioners claim that they are his only surviving legal heirs and are entitled to his estate in equal shares.

3. According to the petitioners, the deceased had availed twelve gold loans from the Chennai Central Co-operative Bank Limited, Arumbakkam Branch, by pledging gold jewels. The Bank, by its communication dated 08.07.2020, informed the first petitioner that the outstanding dues had been adjusted by auctioning the jewels covered by five loan accounts and that the remaining jewels and surplus sale proceeds could be released upon production of a Succession Certificate.

4. General publication was effected in the Tamil daily “Makkal Kural” on 23.01.2026. No objection was received pursuant to the publication. The learned Master has recorded that service was complete and that no person appeared to oppose the petition.



5. The first petitioner examined herself as P.W.1 and reiterated the averments in the petition. Exs.P1 to P10 were marked through her. The death certificates of the deceased and his parents have been marked as Exs.P1 to P3. The subsequent communication dated 14.08.2024 and the available gold-loan receipts have been marked as Exs.P4 to P6 series.

6. The communication dated 08.07.2020 issued by the Bank is relied upon to show that the amounts due under the twelve gold-loan accounts were adjusted from the sale proceeds of the jewels auctioned under five accounts and that the jewels relating to the remaining accounts, together with the balance sale proceeds, if any, continued to remain with the Bank. The petitioners seek a Succession Certificate for recovering both the monetary amounts and the jewels so retained.

7. A Succession Certificate under Section 372 of the Indian Succession Act, 1925, can be granted only in respect of debts and securities. The amount standing to the credit of the deceased in the savings bank account and the surplus sale proceeds, if any, retained by the Bank are amounts payable to the estate of the deceased and fall within the scope of the petition.

8. The gold jewels remaining with the Bank stand on a different footing. They are specific movable properties and do not become a debt merely because their weight or estimated value has been stated in the schedule. A Succession



Certificate cannot, therefore, be issued in respect of the jewels or confer authority upon the petitioners to redeem or recover them.

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9. The evidence of P.W.1, supported by Exs.P1 to P10, establishes the death and intestacy of M.K. Prem Anand, the prior death of his parents, the relationship of the petitioners to the deceased and the amounts claimed from the Bank. General publication was also effected and no objection was received.

10. Accordingly, this Original Petition is **partly allowed**. A Succession Certificate shall be issued jointly in favour of the petitioners, in equal shares, in respect of:

(a) the amount standing to the credit of late M.K. Prem Anand in Savings Bank Account No.[10506010050551](#) with the Chennai Central Co-operative Bank Limited, Arumbakkam Branch; and

(b) the surplus amount, if any, remaining payable by the Bank from the sale proceeds of the jewels auctioned under the gold-loan accounts of the deceased, together with the interest, if any, accrued thereon.



11. The prayer insofar as it relates to the gold jewels remaining in the custody of the Bank is rejected, leaving it open to the petitioners to work out their remedy in accordance with law. No costs.

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

**Petitioner's witness:**

P.W.1 – Mrs.S.Sivashaanthini

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Documents exhibited by the petitioners:

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Computer generated death certificate of Mr.M.K.Prem Anand
Ex.P2	Computer generated death certificate of Mrs.K.Rajammal.
Ex.P3	Photocopy of the death certificate of Mr.Malana Sami Kunara Velu (Compared with the original)
Ex.P4	Photocopy of the letter dated 08.07.2020 sent by the Chief Manager, The Chennai C.C.Bank Limited to Mrs.S.Shanthi (Compared with the original).
Ex.P5	Photocopy of the letter dated 14.08.2024 sent by The Chennai Central Co-operative Bank Limited to Mrs.S.Sivashaanthini (compared with the original)
Ex.P6 (series)	Photocopies of the gold loan receipts of Chennai Central Co-operative Bank Limited standing in the name of Mr.Prem Anand.M.K. (compared with the original).
Ex.P7	Photocopy of my Aadhaar Card (Compared with the original)
Ex.P8	Photocopy of the Aadhaar Card of Mrs.Malathy.R. (Compared with the original)
Ex.P9	Copy of the paper publication effected in one issue of Tamil Daily “Makkal Kural” dated 23.01.2026.
Ex.P10	Certificate under Section 63(4)(C) of BSA.

27.07.2026

jrs



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DR.A.D.MARIA CLETE J.

JRS

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