

**IN THE COURT OF THE PRINCIPAL DISTRICT JUDGE,  
COIMBATORE**

Present: **Tmt. G. VIJAYA, B.A., M.L., PGDCFS**  
Principal District Judge, Coimbatore.

Wednesday, this the 11<sup>th</sup> day of March 2026

(திருவள்ளூர் ஆண்டு 2057 தமிழ் விசுவாச ஆண்டு மாசி மாதம் 27ம் நாள்  
புதன்கிழமை)

**SUCCESSION ORIGINAL PETITION No.151/2023**

**CNR No.TNCB010034662023**

(In the matter of deceased Thennappan's legal heirs)

1. M. Visalatshi
  2. R. Saraswathi
  3. T. Nachiappan
- ... Petitioners

/vs/

M/s.IDBI Bank Ltd.,  
Rep. by its Authorized Signatory  
Coimbatore – 641 018.

... Respondent

This petition came up before me for final hearing on 10-03-2026 in the presence of **Tvl. S. Rajesh and Indhumathi Rajesh**, Advocates for the Petitioners, and of **Thiru. K. Sethuram**, Advocate for the Respondent and upon perusing the records, counter statement and upon hearing the arguments of both side and having stood over for consideration till this day, this Court passed the following

**ORDER**

This petition has been filed by the Petitioners under Section 372 of the Indian Succession Act, praying to issue succession certificate in favour of the 3<sup>rd</sup> Petitioner.

**2) Brief averments of the petition is as follows :**

i. The 1<sup>st</sup> Petitioner is the daughter of one T.Thenappan, who was a resident of Door No.180, Second Street, Gandhipuram, Coimbatore – 641 012, the 2<sup>nd</sup> Petitioner is the daughter-in-law and wife of the T.Thenappan's predeceased son T. Ramanathan, who had died on 13.02.2014 and the 3<sup>rd</sup> Petitioner is the son of the said T.Thenappan. The said T.Thenappan was a businessman at Coimbatore and co-owner of a tea estate at Gudalur, Niligris.

ii. The said T.Thenappan had died on 06.05.2021 at the age of 94 years at 3<sup>rd</sup> Petitioner's residence leaving behind the Petitioners No.1 to 3 as his legal heirs to succeed his estates.

iii. During his life time, the said T.Thenappan had Dematerialized Account (Demat) holding vide Client ID No.10126346 with the Respondent in his name towards the shares of 1. ISIN Code-INE172A01027, Scrip Name-M/s.Castrol India Ltd-EQ New FV, No of Shares-6544, 2. ISIN Code-INE727F01019. Scrip Name-M/s Karur KCP Packaging's Ltd-EQ, No of Shares-5000 and 3. ISIN Code-INE854D01024, Scrip Name-M/s. United Spirits Ltd-EO New FV, No of Shares-500.

iv. After the death of the said T.Thenappan, when the 3<sup>rd</sup> Petitioner, on behalf of himself and other legal heirs of the deceased T.Thenappan, had approached the Respondent on 28.10.2022 in order to get the said Dematerialized (Demat) Account containing the shares as stated supra transmitted in their name, but the Respondent had showed there reluctant to disburse/transmit the said Demat account/certificate/value/benefits of the Deceased T.Thenappan in the favour of the Petitioners and had advised the Petitioners to get succession certificate in their favour from this Court.

v. The Petitioners are legally entitled to get the said Demat account/certificate/value/benefits of the Deceased T.Thenappan transmitted/disbursed in their name being the legal heirs of the deceased T.Thenappan, but as the officials of the Respondent had insisted in getting Succession Certificate in the name of the Petitioners in order to transmit the said Demat account of deceased T.Thenappan, the Petitioners are now left with no other option but to knock the doors of this Court and file the present petition praying for the issuance of Succession Certificate in their favour towards the Dematerialized (Demat) Account of the deceased T.Thenappan.

vi. In the meanwhile on 31.10.2020 an arrangement/settlement had taken place, between the Petitioners and the 1<sup>st</sup> and 2<sup>nd</sup> Petitioners had relinquished their right of claim over the said shares as made and found in the said Dematerialized (Demat) Account of the deceased T.Thenappan with that of the Respondent, in

favour of the 3<sup>rd</sup> Petitioner. The Petitioners have not made any similar application for getting succession certificate in any other forum or Courts. No Nominee mentioned in the Shares of deceased T. Thenappan.

vii. The Petitioners therefore pray to issue Succession Certificate in favour of the 3<sup>rd</sup> Petitioner; and pass such other and further reliefs and orders as deem fit on the true Circumstances of the above Case and just render justice.

**3) Brief averments of the counter statement filed by the Respondent is as follows:**

i. The petition is false, frivolous, vexatious and wholly unsustainable either on law or on facts.

ii. The Respondent denies all averments except those that are specifically admitted by them.

iii. The allegations contained in para No.3 of the petition is that, the 1<sup>st</sup> Petitioner is the daughter of the deceased Thenappan and the 2<sup>nd</sup> Petitioner is the daughter in law and wife of Thenappan's predeceased son Ramanathan and the 3<sup>rd</sup> Petitioner is the son of Thenappan. It appears that Thenappan was a business man and co-owner of a tea estate at Gudalur and it is reported that Thenappan died and his death certificate has been produced and the Petitioner had produced a legal heir certificate and the Petitioners 1 to 3 claims to be the legal heirs to succeed to the estate and further, the allegations contained in para Nos.6 to 8 in the petition, are to be proved by the Petitioners before this Court.

ii. An agreement has been pleaded and the same has been signed by all the parties. The Petitioners shall prove that the arrangement was made and the same was accepted by all the legal heirs.

iii. The cause of action has been pleaded and the said arrangement dated 31.10.2020 is acceptable to all the parties. The entire cause of action arose when Thenappan died.

iv. The Respondent bank will accept the succession certificate passed by this Court which will be in accordance with law. The Respondent bank will rely upon the succession certificate issued by this Court both in letter and spirit.

v. Therefore it is prayed to pass an order in accordance with law after going through the evidence and the materials placed before this Court and thus render justice.

**4. Point for consideration :**

Whether the Petitioners are entitled for succession certificate as prayed for?

5. On the side of the Petitioners, the 2<sup>nd</sup> Petitioner was examined as PW1 and Ex.P-1 to P-10 were marked. On the side of the Respondent, no evidence was adduced and document was marked.

**Point :**

6. Heard both side and perused the relevant records. It is the case of the Petitioners that, the 1<sup>st</sup> Petitioner is the daughter, the 2<sup>nd</sup> Petitioner is the

daughter-in-law and wife of the T.Thenappan's predeceased son T. Ramanathan, who died on 13.02.2014 and the 3<sup>rd</sup> Petitioner is the son of Late T.Thenappan. During the lifetime, the said T.Thenappan had Dematerialized account with the Respondent in his name. The above said T.Thenappan died on 06-05-2021. After the death of the said T.Thenappan, when the 3<sup>rd</sup> Petitioner, on behalf of himself and other legal heirs of the deceased T.Thenappan, had approached the Respondent on 28-10-2022 in order to get the said Dematerialized account containing the shares as mentioned in the petition schedule in their name, but the Respondent advised the Petitioners to get Succession Certificate in their favour from the Court.

**7.** Further case of the Petitioner is that, the Petitioners are legally entitled to get the said Demat account/certificate/value/benefits of the deceased T.Thenappan transmitted/disbursed in their name being the legal heirs of the deceased T.Thenappan, but as the officials of the Respondent had insisted in getting Succession Certificate in the name of the Petitioners in order to transmit the said Demat account of the deceased T.Thenappan, the Petitioners are now left with no other option but to knock the doors of this Court and filed the present petition praying for issuance of Succession Certificate in their favour towards the Dematerialized Account of the deceased T.Thenappan.

**8.** Further case of the Petitioners is that, in the meanwhile on 31.10.2020 an arrangement/settlement had taken place between the Petitioners and the 1<sup>st</sup> and

2<sup>nd</sup> Petitioners had relinquished their right of claim over the said shares as made and found in the said Dematerialized (Demat) Account of the deceased T.Thenappan with that of the Respondent, in favour of the 3<sup>rd</sup> Petitioner. Therefore, the Petitioners pray to issue Succession Certificate in favour of the 3<sup>rd</sup> Petitioner.

**9.** It is the submission of the Respondent that, the Respondent bank will accept the succession certificate passed by this Court which will be in accordance with law. The Respondent bank will rely upon the succession certificate issued by this Court both in letter and spirit.

**10.** Upon considering the oral and documentary evidence vide Ex.P-7 and the arguments submitted, it is evident that one T.Thenappan was holding shares with the Respondent in, 1. ISIN Code-INE172A01027, Scrip Name-M/s.Castrol India Ltd-EQ New FV, No of Shares-6544, 2. ISIN Code-INE727F01019, Scrip Name-M/s Karur KCP Packaging's Ltd-EQ, No of Shares-5000 and 3. ISIN Code-INE854D01024, Scrip Name-M/s. United Spirits Ltd-EO New FV, No of Shares-500. On his demise, the Petitioners had laid the present petition for issuance of succession certificate in favour of the 3<sup>rd</sup> Petitioner on the ground that the Petitioners are the only legal heirs of the deceased T.Thenappan and on 31-10-2020, an arrangement had taken place between them and accordingly, the 1<sup>st</sup> and 2<sup>nd</sup> Petitioners had relinquished their right of claim over the petition schedule properties with the Respondent in favour of the 3<sup>rd</sup> Petitioner. To

substantiate the contention of the Petitioners, the second Petitioner had examined herself as PW-1 and had deposed in consonance with the petition pleadings to the effect that the said T.Thenappan died on 06-05-2021 leaving behind the Petitioners herein as his only legal heirs. On perusal of the Ex.P-5 and P-6 death certificate and legal heirship certificate, it is evident that the said T.Thenappan died on 05-05-2021. As per Ex.P-7, it is evident that the deceased T.Thenappan was having shares with the Respondent described in the petition schedule and to the same, the Petitioners had filed the present petition for issuance of Succession Certificate in favour of the 3<sup>rd</sup> Petitioner.

**11.** As mentioned above, the Petitioners being the only legal heirs of the deceased T.Thenappan and it is being contended by the Petitioners that the said T.Thenappan had died and there is no other material contra to the contention put forth by the Petitioners. General Notice and Public Address executed and Paper Publication was also effected. But there had been no objection for repudiating the claim and contention of the Petitioners. The Respondent Bank has filed a counter statement stating that they have no objection to the issuance of the succession certificate and will abide by the orders of this Court. Under these circumstances, this Court is of the considered view that the Petitioners had made out the case for issuance of necessary succession certificate and as such the present petition deserves to be allowed and this Court is inclined to allow the petition in the following manner;

**In the result, this petition is allowed. Issue Succession Certificate in the name of the 3<sup>rd</sup> Petitioner, namely, T.Nachiappan.**

This order is dictated to the steno typist directly, typed by her in the system, corrected and pronounced by me in the open court, this the 11th day of March 2026.

PRINCIPAL DISTRICT JUDGE,  
COIMBATORE.

List of witnesses and Documents :

List of documents marked on the side of the Petitioners :

Ex.P-1	27-02-2014	Death Certificate of Late T. Ramanathan	Original
Ex.P-2		Aadhar card of the 1 <sup>st</sup> Petitioner	Photocopy (Compared with original)
Ex.P-3		Aadhar card of the 2 <sup>nd</sup> Petitioner	Photocopy (Compared with original)
Ex.P-4		Aadhar card of the 3 <sup>rd</sup> Petitioner	Photocopy (Compared with original)
Ex.P-5	06-07-2021	Death Certificate of Late T.Thenappan	Digitally signed online copy
Ex.P-6	19-09-2021	Legalheirship certificate of the late T.Thenappan	Digitally signed online copy
Ex.P-7	28-10-2022	Demat statement of holdings of late T.Thenappan	Online downloaded copy

Ex.P-8	31-10-2022	Affidavit executed by the 2 <sup>nd</sup> Petitioner	Original
Ex.P-9	31-10-2022	Affidavit executed by the 1 <sup>st</sup> Petitioner in favour of the 3 <sup>rd</sup> Petitioner	Original
Ex.P-10	20-06-2014	Legalheirship certificate of T.Ramanathan	True copy

List of documents on the side of the Respondent : NIL

List of witnesses examined on the side of the Petitioners :

P.W.1 R. Saraswathi (Petitioner No.2)

List of witnesses examined on the side of the Respondent : NIL

PRINCIPAL DISTRICT JUDGE,  
COIMBATORE.

FAIR/DRAFT ORDER  
SOP No.151/2023  
DATED : 11-03-2026  
PDJ, CBE.