

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

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

Tuesday, this the 17th day of March 2026

திருவள்ளூர் ஆண்டு 2057 தமிழ் விசுவாச ஆண்டு பங்குனி மாதம் 03ம்
நாள் செவ்வாய்கிழமை

SUCCESSION ORIGINAL PETITION No.198/2025

CNR No.TNCB010048382025

(In the matter of grant of Succession Certificate to the estate of Muthu Chinnu
Gounder @ Muthu C)

Jayachandar

represented by its Power Agent

K.A.Velusamy

... Petitioner

/vs/

Franklin Templeton

... Respondent

This petition came up before me for final hearing on 16-03-2026 in the presence of **Thiru.C.A.Ravikumar**, Advocate for the Petitioner, and on behalf of the Respondent company, its Deputy Manager, Customer services, Coimbatore branch appeared in person and upon perusing the records and hearing both side arguments and having stood over for consideration till this day, this Court passed the following

ORDER

This petition has been filed by the Petitioner under Section 372 of the Indian Succession Act, praying to issue Succession Certificate in respect of the mutual fund mentioned in the petition schedule in favour of the Petitioner.

2) Brief averments of the petition is as follows :

i. The Petitioner's father on 02.05.2025 had Rs.10,20,772.72 in the mutual fund of the Respondent, as per the Folio Statement, which has been filed along with the petition as document No.1. He died on 23-07-2024. The Petitioner's mother died on 25-11-2015 and both died at Coimbatore. The Petitioner is the only son for his parents. Hence, the Petitioner is their sole legal heir to succeed to his estate.

ii. The Petitioner on 05-05-2025 sent an email to the Respondent to transfer the said amount to his bank account enclosing the Death certificate and Legal heir certificate of his father. On 05-05-2025, the Respondent sent reply email to submit Succession Certificate of the deceased issued by a competent Court, if the transmission value exceeds 10 Lakhs, since he is a Non-resident Indian (NRI). So, the Petitioner needs the Succession Certificate of the deceased. Hence the petition is filed for the issue of Succession Certificate.

iii. The Petitioner has not applied for the issue of Succession Certificate in any other Court regarding the mutual fund listed in the petition schedule. The

Petitioner is aware that the deceased died intestate. There is no impediment under Section 370 of Indian Succession Act for the grant of Succession Certificate in favour of the Petitioner.

iv. The Petitioner reserves his right to add any further mutual fund that might be later on found, so that the present Succession Certificate may be extended to cover the same also.

v. The Petitioner prays to issue the Succession Certificate in respect of the Mutual fund mentioned in the petition schedule in favour of the Petitioner, pass such other and further orders as are deemed fit and proper in the circumstances of this case in the interest of justice.

3. On behalf of the Respondent company, its Authorised representative Thiru.S.Seshadri appeared before this Court and filed the mutual fund statement of the deceased Muthu C and submitted a letter stating that they shall duly process the transmission of mutual fund units to the legal heirs of Late Muthu C as may be directed by this Court.

4. Point for consideration :

Whether the Petitioner is entitled for succession certificate as prayed for?

5. In this petition, the Power agent of the Petitioner namely one Thiru.K.A.Velusamy was examined as P.W.1 and six documents were marked as

Ex.P-1 to Ex.P-6. No oral evidence adduced and document was marked on the side of the Respondent.

Point :

6. Heard and perused the relevant records. It is the case of the Petitioner that his father namely Muthu Chinnu Gounder @ Muthu C died on 23-07-2024. The Petitioner's mother and the wife of the said Muthu Chinnu Gounder @ Muthu C namely Sathyavathi Muthu also died on 25-11-2015. Therefore, the Petitioner is the only legal heir of Late Muthu Chinnu Gounder @ Muthu C. During his lifetime, the said Muthu Chinnu Gounder @ Muthu C, had invested in mutual fund with the Respondent company.

7. It is the further case of the Petitioner that, after the death of the said Muthu Chinnu Gounder @ Muthu C, the Petitioner has sent an email dated 05-05-2025 to the Respondent to transfer the mutual fund amount held by the said Muthu Chinnu Gounder @ Muthu C to his bank account enclosing the death certificate and legal heir certificate of his father. For which, the Respondent sent reply email to submit Succession Certificate of the deceased issued by a competent Court, if the transmission value exceeds Rs.10 lakh since he is a non-resident Indian. Hence the Petitioner herein has come forward with this petition for issuance of Succession Certificate in respect of the mutual fund of Late Muthu Chinnu Gounder @ Muthu C, pertaining to the investments described in the

petition schedule in favour of the Petitioner and pray to allow the petition as prayed for.

8. On behalf of the Respondent company, its Authorised representative Thiru.S.Seshadri appeared before this Court and filed the mutual fund statement of the deceased Muthu C and submitted a letter stating that they shall duly process the transmission of mutual fund units to the legal heirs of Late Muthu C as may be directed by this Court.

9. Upon considering the oral and documentary evidence vide Ex.P-2 and the arguments submitted, it is evident that one Muthu Chinnu Gounder @ Muthu C was having mutual fund units with the Respondent with Folio NO.14122890. On his demise, the Petitioner had laid the present petition for issuance of succession certificate in favour of the Petitioner on the ground that the Petitioner is the only legal heir of the deceased Muthu Chinnu Gounder @ Muthu C. To substantiate the contention of the Petitioner, his power agent had examined himself as PW-1 and had deposed in consonance with the petition pleadings to the effect that the said Muthu Chinnu Gounder @ Muthu C died on 23-07-2024 leaving behind his child namely the Petitioner herein as his only legal heir and the mother of the Petitioner also died on 25-11-2015. On perusal of the Ex.P-3 and P-4 death certificate and legal heirship certificate, it is evident that the said Muthu Chinnu Gounder @ Muthu C died on 23-07-2024 and the

Petitioner is the only legal heirs of the said deceased. As per Ex.P-2, it is evident that the deceased Muthu Chinnu Gounder @ Muthu C was holding mutual fund units with the Respondent described in the petition schedule and to the same, the Petitioner had filed the present petition for issuance of Succession Certificate in favour of the Petitioner.

10. The Petitioner is residing at 121, Dartmouth LN, Coppell, TX 75019, USA, has applied the present petition through his Power agent K.A.Velusamy. As mentioned above, the Petitioner being the only legal heir of the deceased Muthu Chinnu Gounder @ Muthu C and it is being contended by the Petitioner that the said Muthu Chinnu Gounder @ Muthu C had died and there is no other material contra to the contention put forth by the Petitioner. 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 Petitioner.

11. On behalf of the Respondent company, its Authorised representative Thiru.S.Seshadri appeared before this Court and filed the mutual fund statement of the deceased Muthu C and submitted a letter stating that they shall duly process the transmission of mutual fund units to the legal heirs of Late Muthu C as may be directed by this Court. Under these circumstances, this Court is of the considered view that the Petitioner 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 Petitioner, namely, Jaychandar.

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 17th day of March 2026.

PRINCIPAL DISTRICT JUDGE,
COIMBATORE.

List of witnesses and Documents :

List of documents marked on the side of the Petitioner :

Ex.P-1	06-05-2025	Power of attorney deed	Original
Ex.P-2	30-04-2025	Fund statement stands in the name of Muthu C	Online downloaded copy
Ex.P-3	02-08-2024	Death Certificate of Muthu Chinnugoundar	Online downloaded copy
Ex.P-4	11-08-2024	Legal Heir ship certificate of Muthu Chinnugoundar	Online downloaded copy
Ex.P-5	05-05-2025	Email sent by the Petitioner to the Respondent	Printed copy
Ex.P-6		Passport of the Petitioner	Photocopy (Compared with original)

List of documents on the side of the Respondent : NIL

List of witnesses examined on the side of the Petitioner :

P.W.1 K.A.Velusamy (Power agent of the Petitioner)

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

PRINCIPAL DISTRICT JUDGE,
COIMBATORE.

FAIR/DRAFT ORDER
SOP No.198/2025
DATED: 17-03-2026
PDJ, CBE.