

O.P.No.126 of 2014**R.SUBBIAH, J**

This Petition has been filed under Section 372 of the Indian Succession Act read with Order XXV Rule 6 of the Madras High Court Original Side Rules, to grant succession certificate in favour of the first petitioner.

2.It is the case of the petitioners that Ravikumar H.Joseph died at A1, Oakwood Apartments, 25, Anderson Road, Chennai – 6 on 12.11.2007. The first petitioner is the wife of the deceased, second petitioner is the daughter and petitioners 3 and 4 are the sons of the deceased. The deceased ordinarily resided at the said address and left the property specified in the schedule to the petition. Though diligent search has been made for a Will, none has been found. The petitioners who are Class I heirs and legal representatives of the deceased are entitled to a share of the estate of the deceased. The succession certificate is required for the purpose of transfer of shares standing in the name of the deceased to the name of the first petitioner. The assets in respect of which the succession certificate is required are of the value of Rs.26,81,424/-. No application for a

succession certificate in respect of any debt or security belonging to the estate of the said deceased has been made to any District Court or delegate or to any High Court. Hence, they have approached this Court for grant of succession certificate in the name of the first petitioner with power to collect the debts and to receive the interest and dividends on and negotiate and transfer the securities specified in the schedule.

3.The first petitioner examined herself as P.W.1 and marked Exs.P1 to P8 viz.,

Ex.P1 is the computer generated copy of the death certificate of the deceased Ravikumar H.Joseph, who died on 12.11.2007.

Ex.P2 is the photocopy of the legal heirship certificate dated 09.04.2008 in respect of the deceased.

Ex.P3 is the e-mail correspondence dated 23.03.2012 sent to the first petitioner by ITC Co. Ltd.,

Ex.P4 is the internet copy to ascertain the market value of the shares.

Ex.P5 is the consent affidavit given by the second petitioner.

Ex.P6 is the consent affidavit given by the third petitioner.

Ex.P7 is the consent affidavit given by the third petitioner.

Ex.P8 is the copy of the paper publication effected in one issue of Tamil daily Dina Boomi dated 17.04.2014.

She has further stated in her evidence that she has not filed any other petition before any other Court seeking the same relief.

4.Considering the averments made in the petition and the documents filed by the first petitioner, I am satisfied that the petitioners have succeeded the Estate of the deceased Ravikumar H.Joseph. Therefore, the petition is ordered as prayed for and a direction for grant of Succession Certificate to the first petitioner with power to collect the debts and to receive the interest and dividends on and negotiate and transfer the securities specified in the schedule, is issued. She is directed to render account once in a year.

02.02.2015

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