

O.P.No.30 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 B.Vijayakumar died on 17.01.2013 at Sri Ramachandra Medical College and Research Institute. The first petitioner is the wife of the deceased and the second and third petitioners are the daughter and son of the deceased respectively. The deceased ordinarily resided at Plot No.62, Kanakathara Nagar, First Cross Street, Valasaravakkam, Chennai – 87 along with the petitioners herein. He died intestate and 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 the shares purchased by the deceased. The succession certificate is required for the purpose of effecting name transfer in respect of the shares purchased by the deceased. The assets in respect of which the succession certificate is required are of the value of Rs.2,38,032/-. 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 P9 viz.,

Ex.P.1 is the photocopy of the family car bearing No.02/G/0246834 in respect of the deceased B.Vijayakumar.

Ex.P.2 is the computer generated copy of the death certificate of the deceased B.Vijayakumar, who died on 17.01.2013.

Ex.P.3 is the photocopy of the legal heirship certificate dated 07.03.2013 in respect of the deceased B.Vijayakumar.

Ex.P.4 is the photocopy of the first petitioner's PAN Card bearing No.AGGPT2354N.

Ex.P.5 is the photocopy of the death certificate of the first petitioner's mother-in-law T.Rukmani Ammal, who died on 20.07.2012.

Ex.P.6 is the photocopy of the Unitech fixed deposit receipt bearing Account No.1232532 in the name of the deceased along with photocopy of the letter dated 01.04.2013 addressed to the first petitioner by Unitech.

Ex.P.7 is the original letter dated 11.04.2013 addressed to the first petitioner by ICICI Bank directing her to obtain Succession Certificate.

Ex.P.8 is the original statement of holdings as on 23.11.2013 in respect of the deceased.

Ex.P.9 is the copy of the paper publication effected in one issue of Tamil Daily Malai Sudar dated 22.02.2014.

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 petitioner, I am satisfied that the petitioners have succeeded the Estate of the deceased B.Vijayakumar. 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

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transfer the securities specified in the schedule, is issued. She is directed to render account once in a year.

30.01.2015

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