

O.P.No.546 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 R.Praveena died at 27, Vada Agaram 1st Street, Choolaimedu, Chennai - 94 on 29.06.2008. The first petitioner is the mother of the deceased, second petitioner is the father of the deceased, petitioners 3 and 4 are the sisters of the deceased. The deceased ordinarily resided at the said address and left the property specified in the schedule to the petition. The deceased R.Praveena completed her studies and started working and purchased some jewels and opened a bank locker at Federal Bank at R.M. Nagar, Chennai, having Savings Bank Account No.9760 and locker in which she was keeping valuables and left the same. The petitioners who are Class II heirs and legal representatives of the deceased are entitled to a share of the estate of the deceased. When the petitioners approached the Bank authority to receive the property of the deceased, they have advised the petitioners to produce the succession

certificate from the competent Court. The assets in respect of which the succession certificate is required are of the value of Rs.1,00,000/-. 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 specified in the schedule.

3.The first petitioner examined herself as P.W.1 and marked Exs.P1 to P9 viz.,

Ex.P1 is the computer generated death certificate of the deceased, who died on 29.06.2008.

Ex.P2 is the computer general birth certificate of the deceased who was born on 28.08.1984.

Ex.P3 is the original legalheirship certificate in respect of the deceased.

Ex.P4 is the original letter dated 18.06.2014 sent by the Federal Bank in respect of the locker maintained by the deceased in Federal Bank, R.M.Nagar Branch, Chennai.

Ex.P5 is the consent affidavit given by the second petitioner K.Raju stating that he has no objection in grant of succession certificate in favour of the first petitioner.

Ex.P6 is the consent affidavit given by the third petitioner R.Sujatha stating that she has no objection in grant of succession certificate in favour of the first petitioner.

Ex.P7 is the consent affidavit given by the fourth petitioner R.Jeevitha stating that she has no objection in grant of succession certificate in favour of the first petitioner.

Ex.P8 is the consent affidavit given by the fifth petitioner R.Sugantha stating that she has no objection in grant of succession certificate in favour of the first petitioner.

Ex.P9 is the copy of the paper publication effected in one issue of Tamil Daily Makkal Kural dated 11.11.2014.

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 R.Praveena.

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

11.02.2015

mmi

R.SUBBIAH, J

mmi

O.P.No.546 of 2014

11.02.2015