

O.P.No.694 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 the deceased N.Shankar Narayanan died on 26.11.2011 at Mumbai. The deceased was ordinarily residing at B/802, Gulmohar Apartments, Ceasor Road, Amboli, Andheri (W), Mumbai – 400 058. The first petitioner is the wife of the deceased, second and third petitioners are the minor daughters of the deceased, fourth and fifth petitioners are the parents of the deceased. The deceased died intestate and though diligent search has been made for a Will, none has been found. The petitioners are the Class I legal heirs of the deceased and they are entitled to a share of the estate of the deceased. The succession certificate is required for the purpose of withdrawing the amount standing to the credit of PPF account of the deceased by the first petitioner. The said assets in respect of which the succession certificate is required are of the value of Rs.2,40,484/-. 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, the petitioners 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 P7 viz.,

Ex.P1 is the original death certificate of the first petitioner's deceased husband Shankar Narayanan, who died on 26.11.2011.

Ex.P2 is the photo copy of the legal heir certificates dated 20.03.2013 in respect of the first petitioner's deceased husband.

Ex.P3 is the photo copy of the passbook of PPF account bearing account No.0263501021 in respect of the first petitioner's deceased husband.

Ex.P4 is the photo copy of the application for withdrawal dated 17.04.2014.

Ex.P5 is the photo copy of the letter dated 15.07.2014 from ASPM Ashok Nagar Post Office to the first petitioner.

Ex.P6 series are the consent affidavits given by the fourth and fifth petitioners.

Ex.P7 is the copy of the paper publication effected in one issue of Tamil Daily Makkal Kural dated 20.12.2014.

He has further stated in his evidence that he 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 petitioners, I am satisfied that the petitioners have succeeded the Estate of the deceased N.Shankar Narayanan. 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. He is directed to render account once in a year.

18.03.2015

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