

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(TESTAMENTARY AND INTESTATE JURISDICTION)

WEDNESDAY, THE 27th DAY OF APRIL 2016

THE HON'BLE MR.JUSTICE K.K.SASIDHARAN

OP.NO.347 OF 2015

In the matter of the Indian
Succession Act XXXIX of 1925
and

In the matter of Debts of
K.Bhairavar Iyer alias
Bhairavan Intestate
Deceased.

T.S.Venkatasubramanian

...Petitioner

-Vs-

1.T.S.Krishnamoorthi
2.Smt.Kalapagam
3.Smt.Meenakshi
4.Smt.Uma

...Respondents

This Original Petition praying that this Hon'ble Court be pleased that a succession certificate may be granted to the petitioner with the power to collect the debts with interest as specified in the Schedule hereto and thus render justice.

Schedule

S.N O	Name of Debtor	Amount of debt including interest of date of application for certificate	Description \$ Date of Instrument if any by debt is secured
1	Indian Overseas Bank, Allur,Trichy Town, Srirangam Taluk,Tiruchirappa lli	Rs.1,13,324.50 paise	Saving Account No. 137001000001488 Deposit
	Total	Rs.1,13,324.50 paise	

This Original Petition coming on this day before this court for hearing the court made the following order:

This original petition is filed under Section 372 of the Indian Succession Act for the grant of a succession certificate in the name of the petitioner authorising him to collect the debts and securities due to the estate of Thiru K.Bhairavar Iyer @ Bhairavan, who died intestate on 20.12.2013 at Thiruchirappalli.

2. The petitioner is the son of Thiru Subbarathinam, elder brother of the deceased K.Bhairavar Iyer @ Bhairavan. The respondents are the children of Thiru Subbarathinam.

3. Thiru K.Bhairavar Iyer @ Bhairavan died on 20.12.2013 leaving the petitioner and the respondents as Class II legal heirs.

4. The debts and securities due to the estate of the deceased K.Bhairavar Iyer @ Bhairavan are shown in the schedule to the original petition.

5. The petitioner seeks an order to issue a Succession Certificate.

6. The petitioner has taken paper publication

in "Makkal Kural" on 23.3.2016. So far no objection has been received from any one.

7. The petitioner was examined as P.W.1. The following documents were marked through him:-

Exhibi ts	Documents
Ex.P1	Original Death Certificate of Thiru K.Bhairavar Iyer @ Bhairavan who died on 20.12.2013
Ex.P2	Photocopy of Passbook in Indian Overseas Bank, Trichy Branch bearing Account No.13700100001488 held by Thiru K.Bhairavan
Ex.P3	Photocopy of Voter Identity Card of Bhairav Iyer
Ex.P4	Consent affidavit given by the first respondent, stating No Objection for grant of Succession Certificate in favour of the petitioner.
Ex.P5	Consent affidavit given by the second respondent, stating No Objection for grant of Succession Certificate in favour of the petitioner.
Ex.P6	Consent affidavit given by the third respondent, stating No Objection for grant of Succession Certificate in favour of the petitioner.
Ex.P7	Consent affidavit given by the fourth respondent, stating No Objection for grant of Succession Certificate in favour of the petitioner.
Ex.P8	Copy of Paper Publication effected in Tamil Daily "Makkal Kural" dated 23.3.2016

8. The respondents have given consent affidavits as per Exs.P.4 to P.7.

9. In view of the evidence available on record, the petitioner is entitled to succeed.

10. There shall be an order to issue a Succession Certificate in the name of the petitioner authorising him to collect the debts and securities shown in the schedule to the Original Petition.

11. The Original Petition is allowed as indicated above.

Sd/K.K.S.J

27.04.2016

//Certified to be a true copy//

Dated this the day of 2016

S.s/18.07.2016

COURT OFFICER

From 25.09.2008 the Registry is issuing certified copies of the Order/Judgment Decree in this format.

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