

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

FRIDAY, THE 29TH DAY OF APRIL 2016

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

O.P. No.503 of 2015

In the matter of Indian
Succession Act XXXIX of
1925

And

In the Matter of Certain
debts of P.Subash Chandra
Bose-deceased Intestate.

Tmt.S.S.Lakshmi
W/o.Late Thiru P.Subash Chandra Bose
No.1/1,3rd main Road
Jawahar Nagar,Agaram
Chennai-600 082.

...Petitioner

-Vs-

1.P.Suresh Chandra Bose
S/o.Late P.Subash Chandra Bose

2.S.Surendra Bose
S/o.Late P.Subash Chandra Bose

3.Selvi.S.Sujatha
D/o.Late P.Subash Chandra Bose

All are residing at
No.1/1,3rd main Road
Jawahar Nagar,Agaram
Chennai-600 082.

...Respondents

Original petition praying that this Hon'ble Court
be pleased to that a Succession Certificate may be
granted to the petitioner with power to collect the debts

and to receive the interest specified in the schedule hereto.

SCHEDULE VIII
(Sec Section 377)
DEBTS

<i>S.NO</i>	<i>Name of the debtor</i>	<i>Amount of debt including interest on date of application for certificate</i>	<i>Description and date of instrument if any ,by which the debt is secured</i>
1	METRO Transport Corporation limited - PBSC	Rs.3,52,800/- (Rupees Three Laks Fifty Two Thousand and Eight Hundred only)	Family pension for the period from 10/06 to 10/13.

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

This original petition is filed under Section 372 of the Indian Succession Act for issuing a succession certificate in the name of the petitioner.

2. The petitioner is the widow of Thiru P.Subash Chandra Bose, who died intestate on 9.10.2006 at Chennai. The respondents are the children born to the petitioner in her lawful

wedlock with Thiru P.Subash Chandra Bose. The petitioners and the respondents are the Class I legal heirs of Thiru P.Subash Chandra Bose.

3. The deceased was an employee of Metropolitan Transport Corporation Limited, Chennai. The amount due to the deceased is shown in the schedule to the petition. The petitioner seeks an order to issue a Succession Certificate so as to enable her to collect the amount from the Metropolitan Transport Corporation Limited.

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

Exhibits	Documents
Ex.P1	Original Death Certificate of Thiru P.Subash Chandra Bose, who died on 9.10.2006
Ex.P2	Photocopy of legal heir ship certificate dated 16.7.2010 in respect of Thiru P.Subash Chandra Bose
Ex.P3	Photocopy of letter dated 2.2.2011 from Metropolitan Transport Corporation Limited, Chennai-2 addressed to the petitioner for obtaining a Succession Certificate from competent court of law.

Exhibits	Documents
Ex.P4	Photocopy of letter dated 22.3.2011 from Metropolitan Transport Corporation Limited, Chennai-2 showing the Family Pension particulars for the period from October 2006 to February 2011 held by Thiru P.Subash Chandra Bose
Ex.P5	Photocopy of letter dated 7.6.2012 from the Directorate of Pension, Chennai paying Rs.25,000/- cheque under Tamil Nadu Government Pensioners Family Security Fund Scheme
Ex.P6	Photocopy of letter dated 7.11.2013 from Metropolitan Transport Corporation Limited, Chennai-2 showing the Family Pension particulars for the period from October 2006 to October 2013 held by Thiru P.Subash Chandra Bose
Ex.P7	Copy of Paper Publication effected in Tamil Daily "Malai Sudar" dated 14.12.2015

5. Though the respondents were served, they have not entered appearance.

6. The petitioner has taken paper publication in "Malai Sudar" on 14.12.2015. So far no objection has been received from any one.

7. The petitioner is having 1/4 share in the amount due to the estate of Thiru P.Subash Chandra Bose.

8. There shall be an order to issue a Succession Certificate in the name of the petitioner authorising her to collect 1/4 of the amount from Metropolitan Transport Corporation Limited shown in the schedule to the Original Petition.

9. The Original Petition is allowed to the extent indicated above.

Sd/. K.K.S.J

29.04.2016

//Certified to be a true copy//

Dated this the day of 2016.

S.s/19.09.2016

COURT OFFICER

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

WEB COPY