

O.P.No.398 of 2012**K.K.SASIDHARAN, J.**

This is an original petition filed under Section 372 of the Indian Succession Act praying for an order to issue a succession certificate in the name of the first petitioner for the purpose of collecting the debts and securities shown in the schedule.

2. The petitioners are the children of Thiru.V.S.Velu Kounder, who died intestate on 31.01.1997. The respondents are the children of Thiru.V.S.Velu Kounder, born in his lawful wedlock with Smt.Dhanapakkiam. The mother of the petitioners and respondents died on 21.01.2009. The petitioners are therefore the sole surviving legal heirs of the deceased.

3.The debts and securities due to the estate of the deceased is shown in the schedule to the original petition. The petitioners seek a Succession Certificate for the purpose of collecting the securities.

4. The petitioners have taken paper publication in "Makkal Kural" on 26.06.2014. So far no objection has been received from any one.

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

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Original death certificate of the deceased Thiru.V.S.Velu Kounder, who died on 31.01.1997
Ex.P2	Original legal heir ship certificate dated 03.05.2007 in respect of the deceased
Ex.P3	Original death certificate of Dhanapakkiam, who died on 21.01.2009
Ex.P4	Computer generated foreign exchange counter rates issued by CIMB Bank, Malaysia dated 27.01.2010
Ex.P5	Photocopy of Voter I.D.Card issued by Election Commission of India
Ex.P6	Consent affidavit given by the first respondent
Ex.P7	Consent affidavit given by the second respondent
Ex.P8	Consent affidavit given by the third respondent
Ex.P9	Consent affidavit given by the fourth respondent
Ex.P10	Consent affidavit given by the fifth respondent
Ex.P11	Consent affidavit given by the sixth respondent
Ex.P12	Paper Publication effected in Tamil Daily "Makkal Kural" dated 26.06.2014

6. The respondents have given consent as per Exs.P6 to P11 indicating no objection for the grant of Succession Certificate.

7. In view of the documents available on record and taking into account the relationship between the petitioners with the deceased, they are entitled to succeed.

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

In the upshot, I allow the Original Petition.

22.02.2016

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