

IN THE HIGH COURT OF JUDICATURE AT MADRAS
(TESTAMENTARY AND INTESTATE JURISDICTION)

DATED, THE 5TH DAY OF AUGUST 2016

THE HON'BLE MR. JUSTICE M.M.SUNDRESH

O.P.NO.250 OF 2016

In the matter of
Indian Succession Act
Act XXXIX of 1925

and

In the matter of
Securities Belonging
to SS Sukumar, Intestate
Deceased

1.S.Arunmozhi Sukumar,
W/o. Late S.S.Sukumar

2.S.Ravinivasan,
S/o. Late S.S.Sukumar,

3.Minor S.Rajeswari,
D/o. Late S.S.Sukumar,
Minors represented by
her mother and next friend
S.Arunmozhi Sukumar
All are residing at
AB 24/New No.12
5th Cross, Anna Nagar West
Chennai 600 040

सत्यमेव जयते ...Petitioners

This Original Petition praying that this Hon'ble
Court be pleased to grant a succession certificate to the
first petitioner with the power to collect the debts and to
receive the interest and dividends on and negotiate and
transfer the securities specified in the schedule hereto

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

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 petitioners.

2.It is the case of the petitioners that the deceased S.S.Sukumar died intestate on 03.07.2014 at City Tower Hospitals, AA 85, 2nd Avenue, Anna Nagar, Chennai 600 040. The deceased ordinarily resided at AB24/New No.12, 5th Cross, Anna Nagar West, Chennai - 600 040 and left the property specified in the schedule herein within the jurisdiction of this Court. The deceased died intestate and though due and diligent search has been made for a Will, none has been found. The mother of the deceased predeceased him on 14.09.1997. The petitioners are the wife, son and daughter of the deceased. The succession certificate is required for the petitioners to get the death benefits of the deceased S.S.Sukumar from his employer. The assets in respect of which the succession certificate is required are of the value of Rs.20,84,071/-.

<https://hcservices.ecourts.gov.in/hcservices/> 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 their names 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 photocopy of the death certificate of the petitioner's deceased mother-in-law S.Rajalakshmi who died on 14.09.1997. Ex.P2 is the photocopy of the birth certificate of the petitioner's son S.Ravinivasan, who was born on 15.09.1993. Ex.P3 is the photocopy of the birth certificate of the petitioner's daughter S.Rajeswary, who was born on 21.09.1999. Ex.P4 is the photocopy of the death certificate of the petitioner's husband S.S.Sukumar who died on 03.07.2014. Ex.P5 is the photocopy of the legal heir certificate of the petitioner's deceased husband dated 28.07.2014. Ex.P6 is the letter dated 18.09.2014 issued to the petitioner by Dr.A.Lakshmipathy Research Centre for Ayurveda, with regard to the death benefits. Ex.P7 is the paper publication is one issue of Maalai Surdar dated 12.06.2016. She has further stated in her evidence that the petitioners have 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 S.S.Sukumar. Therefore, the petition is ordered as prayed for and a direction for grant of Succession Certificate to the petitioners with power to collect the debts and to receive the interest specified in the schedule, is issued. The petitioners are directed to render account once in a year.

Sd/. M.M.S.J

05.08.2016

//Certified to be a true copy//

Dated this the day of 2016

R.s/07.12.2016

COURT OFFICER

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

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