

O.P.No.365 of 2016**M.M.SUNDRESH, 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 petitioner.

2.Heard the learned counsel for the petitioner.

3.It is the case of the petitioner that M.R.Krishnan died on 26.05.2012 at 4003, Crismark Drive, Indian Trail, NC 28079, USA. He permanently resided at No.261, R.K.Mutt Road, Mandaveli, Chennai - 28. The deceased died intestate and though due and diligent search has been made for a Will, none has been found. The petitioner is the daughter of the deceased. The parents of the deceased as well as his wife predeceased him. The succession certificate is required for the purpose of realising the debts along with accrued interest mentioned in the schedule. The assets in respect of which the succession certificate is required are of the value of Rs.47,818.44. There are no other kin or relatives of the deceased entitled to the estate of the deceased. No application for a succession certificate has been made to

any District Court or delegate or to any High Court. Hence, the petitioner has approached this Court for grant of succession certificate in her name with power to collect the debts with accrued interest as specified in the schedule.

4.The petitioner examined herself as P.W.1 and marked Exs.P1 to P7 viz.,

Ex.P1 is the original death certificate of the petitioner's father Mangalam Ramasamy Krishnan, who died on 26.05.2012.

Ex.P2 is the photocopy of death certificate of the petitioner's younger sister Vijaya Krishnan, who died on 03.08.2015.

Ex.P3 is the photocopy of legal heirship certificate dated 24.12.2012 in respect of the petitioner's father Mangalam Ramasamy Krishnan.

Ex.P4 is the photocopy of death certificate of the petitioner's mother Shyamala Krishnan, who died on 20.12.1990.

Ex.P5 is the photocopy of legal heirship certificate dated

12.02.1996 in respect of the petitioner's mother Shyamala Krishnan.

Ex.P6 is the photocopy of the savings account passbook held by the petitioner's deceased sister Vijaya Krishnan and her father Mangalam Ramasamy Krishnan at Indian Bank, Mandavelipakkam Branch, Chennai bearing Account No.458646497.

Ex.P7 is a copy of paper publication effected in one issue of Tamil Daily Makkal Kural dated 24.06.2016.

She has further stated in her evidence that she has not filed any other petition before any other Court seeking the same relief.

5.The petitioner herein, being the legal heir of the deceased Vijaya Krishnan, who is none other than her sister, has also filed another petition in O.P.No.364 of 2016 seeking succession certificate and the said petition was allowed by this Court by order dated 24.11.2016.

6.Considering the averments made in the petition and the documents filed by the petitioner, I am satisfied that the petitioner has succeeded the Estate of the deceased M.R.Krishnan. Therefore,

the petition is ordered as prayed for and a direction for grant of Succession Certificate to the petitioner with power to collect the debts with accrued interest as specified in the schedule, is issued. The petitioner is directed to render account once in a year.

mmi

24.11.2016



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