

O.P.No.442 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 Rule, to grant succession certificate in favour of the petitioners.

2. It is the case of the petitioners that Uma Lakshmanan died on 19.12.2014, who is none other than the wife of the 1st petitioner and mother of the second petitioner. The deceased ordinarily resided at No.10-A, Sri Sai Nagar, Karpagam Avenue, R.A.Puram, Chennai-600 028.. She died intestate and though diligent search has been made for a Will, none has been found. The petitioners are stated to be Class-I legal heirs of the deceased, who are entitled to claim share of the debts of the deceased.

3. It is seen that the deceased during her life time had a Bank Account bearing account No.SBI01 801010100003201 with the Bank of India, Adyar Branch, No.33/3, First Main Road, Gandhi Nagar, Adyar, Chennai. The succession certificate is required for the purpose of claiming the debts specified in the schedule. The assets in respect

of which the succession certificate is required are of the value Rs.43,20,632/- No application for 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.

4. The first petitioner examined himself as P.W.1 and marked the following documents as Exs.P1 to P4 viz.,

Ex.P1 is the computer generated copy of the death certificate of his deceased wife Uma Lakshmanan, who died on 19.10.2014.

Ex.P2 is the photocopy of the legal heirship certificate dated 15.09.2015 in respect of his deceased wife.

Ex.P3 is the photocopy of the Balance Confirmation Certificate dated 03.06.2016 issued by the Bank of India, in respect of his deceased wife.

Ex.P4 is a copy of paper publication effected in one issue of Tamil Daily "Makkal Kural" dated 09.08.2016.

He has further stated in his evidence that the petitioners have not filed any other petition before any other Court seeking the same relief.

6. 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 Uma Lakshmanan. 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.

07.10.2016

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