IN THE HIGH COURT OF JUDICATURE AT MADRAS

(TESTAMENTARY AND INTESTATE JURISDICTION)

TUESDAY, THE 8th DAY OF NOVEMBERR 2016

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

OP.NO.450 OF 2016

In the matter of Inidan
Succession Act XXXIX of 1926

and

In the matter of debts of
T.N.Lalitha Deceased
intestate.

T.N.Balachandar.M/65 Yrs.
S/O.Late T.S.Nagarathinam
No:12,6th Main Bank of Baroda Colony
Puttenahalli,Bangalore,
Karnataka-560 078.

2.T.N.Swaminathan,M/61yrs
S/O.Late T.S.Nagarathinam

3.T.N.Srinivasan,M/59yrs
S/O.Late T.S.Nagarathinam

4.T.N.Ravi M/57 yrs
S/O.Late T.S.Nagarathinam

5.T.N.Raghuraman M/55 yrs
S/O.Late T.S.Nagarathinam

6.T.N.Seshadri M/53 Yrs
S/O.Late T.S.Nagarathinam
Petitioner's 2 to 6 are
Commonly residing at
Old No:8,New No:15
Postal Colony 2nd Street
West Mambalam,Chennai- 600 033.

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7.T.N.Vijayalakshmi F/51 yrs
W/o.S.Venkatraman
A 203 Shivkripa, Model Town
Four Bungalows,Andheri west
Mumbai-400 053.

8.T.N.Ramanathan M/47 Yrs
S/o.Late T.S.Nagarathinam
Old No.8, New No:15
Postal Colony 2nd street
west Mambalam,Chennai-600 033.

9.Mrs.V.Jothimanian F/68Yrs
W/o.late T.N.Venkatasubramanian

10.V.Subramanian Narayanan M/37Yrs
S/O.Late T.N.Venkatasubramanian

11.V.Balaji Shankar M/35 Yrs
S/O.Late T.N.Venkatasubramanian
Petitioner's 9 to 11 are commonly
residing at No:709A,Brigade Paramount,
#5, Old Madras Road, CV Raman Nagar
Nagavarapalya,Bangalore - 560 093.

12.Mrs.R.Saradha F/64 Yrs
W/O.Late T.N.Rajagopalan

13.R.Meenakshi F/37 yrs
D/O.Late T.N.Rajagopalan

14.R.Manikandan M/35 yrs
S/O.Late T.N.Rajagopalan
Petitioner's 12 to 14 are
commonly residing at
old No:8,New No:15
Postal Colony 2nd street
West Mambalam,Chennai-600 033.

....Petitioners

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This Original Petition praying that this Hon'ble Court be pleased that a succession certificate may be granted to the Petitioners with pwer to Operate the Locker No: 207952387 (Type:A PUBLIC) and to receive the movables specified in the schedule hereto.

SCHEDULE

DEBTS

Sl.No	***Name of Debtor***	***Description and date of instrument , if any, by which debt is secured***	***Amount of debt including interest on the date of petition***
1	Tamil Nadu State Apex Co-op Bank Ltd, Ashok Nagar Branch Chennai-83	Locker No:207952387 (Type :A PUBLIC)	1,00,000/- (approx)

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.Heard the learned counsel for the petitioners.

3.It is the case of the petitioners that T.N.Lalitha died on 12.12.2015 at No.12, 6th Main BOB Colony,

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Puttenahalli, Bangalore – 78. She was ordinarily residing at Old No.8, New No.15, Postal Colony 2nd Street, West Mambalam, Chennai – 33. The deceased died intestate and though due and diligent search has been made for a Will, none has been found. The deceased died as spinster. Petitioners 1 to 6 and 8 are the brothers and the 7th petitioner is the sister of the deceased. Petitioners 9 to 11 are the daughter and sons of the predeceased brother of the deceased and petitioners 12 to 14 are the daughters and son of the another predeceased brother of the deceased. The parents as well as two brothers of the deceased predeceased her. The succession certificate is required for the purpose of taking possession of Locker No.207952387 (Type A PUBLIC) with the Tamil Nadu State Apex Co-op. Bank Ltd., Ashok Nagar Branch, Chennai – 83. The assets in respect of which the succession certificate is required are of the value of Rs.1,00,000/- No application for a succession certificate 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 operate the Locker No.207952387 (Type A PUBLIC) and to receive the movables specified in the schedule.

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4.The 5th petitioner examined himself as P.W.1 and marked Exs.P1 to P15 viz.,

Ex.P1 is the original death certificate of the 5th petitioner's elder sister T.N.Lalitha, who died on 12.12.2015.

Ex.P2 is the computer generated death certificate of the 5th petitioner's father T.S.Nagarathinam, who died on 24.05.1999.

Ex.P3 is the photocopy of the legal heirship certificate dated 07.06.1999 in respect of the 5th petitioner's deceased father T.S.Nagarathinam.

Ex.P4 is the computer generated death certificate of the 5th petitioner's mother Kamala, who died on 03.07.2002.

Ex.P5 is the photocopy of the legal heirship certificate dated 12.07.2002 in respect of the 5th petitioner's deceased mother Kamala.

Ex.P6 is the computer generated death certificate of the 5th petitioner's elder brother T.N.Rajagopalan, who died on 04.07.2008.

Ex.P7 is the photocopy of the legal heirship certificate dated 25.07.2008 in respect of the 5th petitioner's deceased elder brother T.N.Rajagopalan.

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Ex.P8 is the photocopy of the death certificate of the 5th petitioner's elder brother T.N.V.S.Manian, who died on 12.09.2009.

Ex.P9 is the photocopy of the legal heirship certificate dated 22.09.2010 in respect of the 5th petitioner's deceased elder brother T.N.V.S.Manian.

Ex.P10 is the office copy of the application dated 20.01.2016 submitted to the Tahsildar, Mambalam Taluk for issuance of legal heirship certificate in respect of the 5th petitioner's deceased elder sister T.N.Lalitha.

Ex.P11 is the original counter foil dated 02.03.2016 for payment of rent towards Locker in Account No.207041089 maintained by the 5th petitioner's deceased elder sister T.N.Lalitha in Tamil Nadu State Apex Co-operative Bank Limited, Ashok Nagar Branch.

Ex.P12 is the original letter dated 23.02.2016 sent by the Tamil Nadu State Apex Co-operative Bank Limited, Ashok Nagar Branch to the 5th petitioner's deceased elder sister T.N.Lalitha.

Ex.P13 is the original letter dated 04.03.2016 sent to the 5th petitioner by the Tahsildar, Mambalam Taluk regarding issuance of legal heirship certificate in respect of the 5th petitioner's deceased elder sister T.N.Lalitha.

Ex.P14 is the original savings bank passbook for the account in No.3006 maintained by the 5th petitioner's

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deceased elder sister T.N.Lalitha in the Tamil Nadu State Apex Co-operative Bank Limited, Ashok Nagar Branch.

Ex.P15 is a copy of paper publication effected in one issue of Tamil Daily Makkal Kural dated 05.08.2016.

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

5.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 T.N.Lalitha. Therefore, the petition is ordered as prayed for and a direction for grant of Succession Certificate to the petitioners with power to operate the Locker No.207952387 (Type A PUBLIC) and to receive the movables specified in the schedule, is issued. The petitioners are directed to render account once in a year.

sd/.M.M.S.J

08.11.2016

//Certified to be a true copy//

Dated this the day of 2016

S.S/14.11.2016 COURT OFFICER

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

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