

**O.P.No.451 of 2016****K.KALYANASUNDARAM, 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 petitioners.

2. It is the case of the petitioners that they are the legal heirs of late K.K.Mani @ Kulathumani who died on 21.12.2004. The deceased K.K.Mani @ Kulathumani ordinary resided at No.7, Arisikaran Street, Mylapore, Chennai – 600 004. The petitioners' mother predeceased the petitioners' father. The petitioners are the sons and daughters of the deceased K.K.Mani @ Kulathumani. According to the petitioners they, as the only class I heirs of the deceased K.K.Mani @ Kulathumani are entitled to claim the properties mentioned in the Schedule. The succession certificate is required for the purpose of transfer of the shares from the name of the deceased to the name of his legal heirs namely the petitioners. The shares in respect of which the succession certificate is required are of the value of Rs.7,24,500/-. 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 name with power to collect the debts and to receive the interest and dividends on and negotiate and transfer the securities specified in the schedule.

3.The first petitioner examined himself as P.W.1 and marked Exs.P1 to P4. Ex.P1 is the original death certificate of the deceased K.K.Mani @ Kulathumani who died on 21.12.2004. Ex.P2 is the original legal heirship certificate dated 15.06.2005 in respect of the deceased K.K.Mani @ Kulathumani. Ex.P3 is the photocopy of the share certificate bearing Share Certificate No.603212, registered Folio No.73728 dated 23.12.200. Ex.P4 is the copy of the paper publication effected in one issue of Tamil Daily "Daily Sudar" dated 17.08.2016. He has further stated in his evidence that he has not filed any other petition before any other Court seeking the same relief.

4.Considering the averments made in the petition and the documents filed by the petitioner, I am satisfied that the petitioners

have succeeded the Estate of the deceased K.K.Mani @ Kulathumani. 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 and dividends on and negotiate and transfer the securities specified in the schedule, is issued. The petitioners are directed to render account once in a year.

**21.12.2016**

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