

IN THE HIGH COURT OF JUDICATURE AT MADRAS
(TESTAMENTARY AND INTESTATE JURISDICTION)
THURSDAY, THE 05TH DAY OF OCTOBER 2017
THE HON'BLE MR. JUSTICE C.V.KARTHIKEYAN
O.P.No.105 of 2017

In the matter of Indian
Succession Act XXXIX of 1925

and

In the matter of Certain debts
belonging to G.G.Nandhakumar
deceased intestate.

1.G.Padmavathy,
W/o.T.K.G.Gopalakrishnan,
New No.45/2, Old No.18,
Nagoji Street, Triplicane,
Chennai-600 005.

2.T.K.G.Gopalakrishnan,
New No.45/2, Old No.18,
Nagoji Street, Triplicane,
Chennai-600 005.

... Petitioners

Original Petition praying that this Hon'ble Court be
pleased to that a Succession Certificate may be granted to
the petitioner with power to collect the debts with
interest 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. Heard the learned counsel for the petitioners.

3. It is the case of the petitioners that their son deceased G.G.Nandhakumar died intestate on 13.11.2015 at Apollo Speciality Hospital, Chennai-600 005 and the said deceased ordinarily resided at New No.45/2, Old No.18, Nagoji Street, Triplicane, Chennai-600 005 and he was working in IBM a Private Company, Chennai and he was holding the Group Term Life Insurance Policy in Birla Sun Life Insurance Co. Ltd, Policy No.501927, Individual ID No:A1957948 details of the Account held by the deceased have been described in Schedule-A. The Petitioners are the Mother and Father of the deceased. Hence, the deceased claim to be entitled to the Insurance claims. The petitioners also stated that at the time of death of the deceased, he had left the petitioners alone as his surviving and only the next of kin as the legal heirs residing in the above said address. The succession certificate is required for the purpose of transfer the insurance claim amount described in Schedule, standing in the name of G.G.Nandhakumar. The insurance claim amount in respect of which the succession certificate is required are of the value of Rs.11,88,956.4(Rupees Eleven Lakh Eighty Eight Thousand Nine Hundred Fifty Six and Paise Forty only). No application for a succession certificate has been made to any District Court or delegate or to any High

Court for Probate of any Will of the deceased or for Letters of Administration with or without Will annexed to their properties and the credits. Hence, these petitioners have approached this Court for grant of succession certificate in the name of the Petitioners with power to collect the debts with interest specified in the schedule.

4. The 1st petitioner examined herself as P.W.1 and marked Exs.P1 to P4 viz.,

Ex.P1 is the computer generated death certificate of P.W.1's deceased son G.G.Nandha Kumar, who died on 13.11.2015.

Ex.P.2 is the photocopy of legal heirship certificate dated 06.07.2016 in respect of P.W.1's deceased son G.G.Nandha Kumar.

Ex.P.3 is the E-mail sent by IBM India (P) Ltd., dated 23.06.2016 in respect of the benefits under the Group Term Life Insurance Policy standing in the name of P.W.1's deceased son G.G.Nandha Kumar.

Ex.P.4 is one copy paper publication effected in one issue of Tamil daily "Makkal Kural" dated 11.04.2017.

She has further stated in his evidence that he has 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 G.G.Nandha Kumar. 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 with interest specified in the schedule, is issued. The petitioners are directed to render account once in a year.

Sd/-C.V.K.J

05.10.2017

//Certified to be a true copy//

Dated this the day of 2017.

EM/20.10.2017

COURT OFFICER

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