

IN THE HIGH COURT OF JUDICATURE AT MADRAS
(TESTAMENTARY AND INTESTATE JURISDICTION)

FRIDAY, THE 06TH DAY OF OCTOBER 2017

THE HON'BLE MR. JUSTICE C.V.KARTHIKEYAN

O.P.No.410 of 2017

In the matter of the Indian
Succession Act, XXXIX of 1925

and

In the matter of debts of the
V.Paranthaman died intestate

1)Mrs.V.ADHILAKSHMI
W/o.Late.Velayudham,

2.Mrs.P.SHANTHI,
W/o.Late V.Paranthaman,

3.Mr.P.GOWTHAM KUMAR,
S/o.Late V.Paranthaman,

4.P.PAVITHRA,
D/o.Late V.Paranthaman,
No.18/2, Elango Street,
Ramana Nagar,
Perambur, Chennai-600 011.

...Petitioners

Original Petition praying that this Hon'ble Court be
pleased to that succession certificate may be granted to
the petitioners with power to collect the debts and to
receive the 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, 1925 read with Order XXV Rule 6 of
the Madras High Court Original Side Rules, 1956 to grant
succession certificate in favour of the petitioners.

2. It is the case of the petitioners that the first petitioner is the mother of the deceased V.Paranthaman and the Second petitioner is wife of deceased V.Paranthaman and third and fourth petitioners are son and daughter of the deceased V.Paranthaman S/o. Late Velayudham who died at KMC Hospita, Poonamallee High Road, Chennai on 14.03.2015 leaving behind him, the petitioners as the only legal heirs of the deceased V.Paranthaman. The deceased V.Paranthaman was ordinarily resided at No.18/2, Elango Street, Ramana Nagar, Perambur, Chennai - 600 011 and he left property specified in the schedule is within the jurisdiction of this Court. The deceased died intestate and that due and diligent search has been made for a Will but none has been found. The said deceased at the time of his death left behind him the petitioners, mother, wife, son and daughter as the only legal heirs who are entitled to claim the estate. The father of the deceased V.Paranthaman namely Velayudham pre-deceased. It is further stated that there is no impediment under Section 370 of the Indian Succession Act, 1925 or under any other provisions of this Act or any other enactment to the grant of the certificate or the validity thereof if it were granted. The petitioners have truly set forth in Schedule No.1 the securities or debts in respect of which the certificate is applied for. The Succession Certificate is required for the purpose of claiming the Post Office Savings Account, bearing Account No.2471960 in Ethiraj Salai Post Office, Chennai - 8 and

Post Office Savings Account, bearing Account No.0643921827 in Jawahar Nagar Post Office, Chennai - 82. The said assets in respect of which the succession certificate is required are of the value of Rs.1,37,483/-. No application has been made to any District Court or Delegate or to any High Court for Probate of any Will of the said deceased or for Letters of Administration with or without the Will annexed to his properties and credits. 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.

3. The 2nd petitioner examined herself as P.W.1 and marked Exs.P1 to P6.

(i) Ex.P1 is the computer generated death certificate of her husband V.Paranthaman, who died on 14.03.2015.

(ii) Ex.P2 is the photocopy of the legal heirship certificate dated 15.03.2016 in respect of her husband. (Marked after comparing and verifying with the original).

(iii) Ex.P3 is the photocopy of the Post Office Savings Account pass book bearing Account No.2471960 held by her husband. (Marked after comparing and verifying with the original).

(iv) Ex.P4 is the photocopy of the Post Office Savings Account pass book bearing Account No.0643921827 held by her husband. (Marked after comparing and verifying with the original).

(v) Ex.P5 is the photocopy of the Family Card bearing No.02/G/0727591. (Marked after comparing and verifying with the original).

(vi) Ex.P6 is a copy of paper publication effected in one issue of Tamil Daily "Malai Sudar" dated 18.07.2017.

4. 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 Mr.V.Paranthaman. Therefore, the petition is ordered as prayed for and a direction for grant of Succession Certificate to the petitioners with power to collect the Securities 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.

Sd/-C.V.K.J

20.10.2017

//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.