

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

TUESDAY, THE 03RD DAY OF OCTOBER 2017

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

O.P.No.445 of 2017

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

and

In the matter of certain
securities belonging to
R.Suresh-deceased intestate.

Mrs.Chinna Ponnu,
W/o.Raja Manickam,
249, Vaikkol Thotti Street,
Dr.Natesan Road, Thiruvallikeni,
Chennai-600 005.

...Petitioner

Original Petition praying that this Hon'ble Court be
pleased to that succession certificate may be granted to
her 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 read with Order XXV Rule 6 of the
Madras High Court Original Side Rules, to grant succession
certificate in favour of the petitioner, Chinna Ponnu.

2. Heard the learned counsel for the petitioner.

3. It is the case of the petitioner that R.Suresh died
on 09.09.2015 at Government Rajiv Gandhi Government
Hospital, EVR Road, Chennai-600 003 and the deceased was
ordinarily residing at, 249, Vaikkol Thotti Street,

Dr.Natesan Road, Triplicane, Chennai-600 005. The deceased died intestate and though due and diligent search has been made for a Will but none has been found. The Petitioner is the mother of the deceased. The succession certificate is required for the purpose of obtain death benefits from Life Insurance Corporation Employees Coverage mentioned in the schedule. The said assets in respect of which the succession certificate is required are of the value of Rs.3,33,961/-(Rupees three lakhs thirty three thousand nine hundred and sixty one only). No application for a succession certificate has been made to any District Court or delegate or to any High Court. Hence, this petitioner has approached this Court for grant of succession certificate in the name of Petitioner, Chinna Ponnu with power to collect the debts and to receive the interest as specified in the schedule.

4. The petitioner examined herself as P.W.1 and marked Ex.P1 to P8 viz.,

Ex.P1 is the computer generated copy of the death certificate of petitioner's son R.Suresh, who died on 09.09.2015.

Ex.P2 is original photocopy of Burial Ground Report dated 11.09.2015 in respect of petitioner's son R.Suresh.

Ex.P.3 is the copy of Post-Mortem certificated dated 10.09.2015 in respect of petitioner's son R.Suresh given by Institute of Forensic Medicines Madras Medical College, Chennai - 600 003.

Ex.P.4 is the photocopy of legal heirship certificate dated 09.02.2016 in respect of petitioner's son R.Suresh.

Ex.P.5 is the photocopy of First Information Report dated 18.02.2016 in respect of petitioner's son R.Suresh.

Ex.P.6 is the computer generated Pay Slip for the month of February 2013 in respect of petitioner's son R.Suresh in Apollo Hospitals Enterprises Limited.

Ex.P.7 is the photocopy of letter dated 03.03.2017 issued by Apollo Hospitals in respect of petitioner's son R.Suresh.

Ex.P.8 is one copy of paper publication effected in one issue of Tamil daily "Maalai Sudar" dated 27.07.2017.

She has further stated in her evidence that she 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 petitioner, I am satisfied that the petitioner has succeeded the Estate of the deceased R.Suresh. Therefore, the petition is ordered as prayed for and a direction for grant of Succession Certificate to the petitioner with power to collect the debts and to receive the interest as specified in the schedule, is issued. The petitioner is directed to render account once in a year.

Sd/.C.V.K.J

03.10.2017

//Certified to be a true copy//
Dated this the day of 2017.

EM/13.10.2017

COURT OFFICER

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