



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

DATED, THE 24th DAY OF OCTOBER 2018

THE HON'BLE MR. JUSTICE P.D.AUDIKESSAVALU

O.P. No.306 of 2018

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

In the matter of the certain
debts of S.Audhiseshudu
Intestate deceased

S.Ramkumar,
Son of late S.Audhiseshudu,
No.7/4, Temple Road, 2nd Cross Street,
Jawahar Nagar,
Chennai 600 082

...Petitioner

Original Petition praying that this Honble Court be pleased that a succession certificate may be granted to the petitioner with power to collect the debts and to receive interest specified in the schedule hereto.

Sl.No	Name of the Debtor	Amount of debt, including interest date of application for certificate Rs.	Description and date of instrument, if any by which the debts is secured.
	The Sub Post Master, Jawahar Nagar- Post Office, Chennai 600 082	1,99,809/-	Amount lying to the Credit of the deceased S.Audhiseshudu



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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, to grant Succession Certificate in favour of the Petitioner with power to collect the debts and to receive the interest specified in the schedule to the Petition.

2. Heard the Learned counsel for the Petitioner.

3. In the Petition, it is stated as follows:-

(i) The Petitioner is the son of the deceased Mr.S.Audhisheshudu, who died intestate at Chennai on 25.11.2015 and that due and diligent search has been made for a Will but none has been found.

(ii) The parents and the wife of the deceased Mrs.Dhanalakshmi pre-deceased him and the Petitioner is the only legal heir of the deceased Mr.S.Audhisheshudu and he



has left no other issues, relations, having any interest over the properties of the deceased.

(iii) The deceased had a Savings Bank Account No.048772909 with the Post Office at Jawahar Nagar, Chennai and a sum of Rs.1,99,089/- (Rupees one lakh ninety nine thousand eighty nine) is lying to the credit of the deceased Mr.S.Audhiseshudu. Since the Petitioner is the only legal heir of the deceased and there are no other legal heirs to the deceased, the Petitioner claims to be entitled to the entire estate of the deceased, for which purpose, the Petitioner requires Succession Certificate. In the aforesaid circumstances, the Petitioner has filed this Petition before this Court to grant succession certificate.

(iv) No application for a succession certificate in respect of any security belonging to the estate of the said deceased has been made to any District Court or delegate or to any High Court and no application has been filed before any Court for Probate or Letter of Administration with or without Will annexed thereto.

4. The Petitioner examined herself as P.W.1 before the Master of this Court on 28.08.2018, filed a proof affidavit and marked the following documents:-



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Mr.S.Audhiseshudu. Accordingly, the Petitioner Mr.S. Ramkumar is entitled to be issued succession certificate with power to collect the debts and to receive the interest specified in the schedule to the Petition, in accordance with law.

6. The Petition is ordered on the aforesaid terms.

sd/-P.D.A.J

24.10.2018

//Certified to be a true copy//
Dated this the day of 2019.

R.s/01.07.2019

COURT OFFICER

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