

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

FRIDAY, THE 08TH DAY OF JUNE 2018

THE HON'BLE MR. JUSTICE N.SATHISH KUMAR

O.P.No.674 of 2013

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

In the matter of certain
securities in respect of
C.K.Ravichandran died
intestate

1. K.R.Vijaylakshmi
W/o. C.K.Ravichandran, age 44 yrs,
W-521 8th Street,
Anna Nagar west Exrt,
Chennai.

2. Harishvar Ravichandran
S/o.C.K.Ravichandran, age 15 yrs,
W-521 8th Street,
Anna Nagar west Exrt,
Chennai.

3. Jhanani Ravichandran
D/o. C.K.Ravichandran, age 9 yrs,
W-521 8th Street,
Anna Nagar west Exrt,
Chennai.

(2 & 3 Petitioner are minors and represented
by their mother and natural guardian)

...Petitioners

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Original petition Application praying that this Hon'ble
Court be pleased to grant a succession certificate to the
petitioner with power to collect the securities and to
receive the dividends on an negotiate and transfer the
securities.

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 the first petitioner is the wife of the deceased C.K.Ravichandran and the second and third petitioners are the son and the daughter of the deceased C.K.Ravichandran. The deceased C.K.Ravichandran died on 08.05.2011. The deceased died intestate and though due and diligent search has been made for a Will, none has been found. The deceased left the amount specified in the Schedule, within the jurisdiction of this Court. The deceased left the petitioners to succeed his estate as his legal heirs. The succession certificate is required for the purpose of collecting the debts. Hence, the petitioners have approached this Court for grant of succession certificate in favour of the petitioners with power to collect the debts as specified in the schedule.

4.The first petitioner was examined as P.W.1 and marked Exs.P1 to Ex.P.6.

5. P.W.1 in her evidence has stated that she is the wife of the deceased C.K.Ravichandran and the second and third petitioners are the son and the daughter of the deceased C.K.Ravichandran. Ex.P.1 is the copy of the death certificate of the husband of the first petitioner. Ex.P.1 shows that the husband of the first petitioners died on 08.05.2011. Ex.P.2 to Ex.P.4 have been filed to show the assets in the name of the deceased. Ex.P.5 and Ex.P.6 Family Card of the deceased have been filed to show that the first petitioner is the wife and the second and third petitioners are the son and daughter of the deceased C.K.Ravichandran. Ex.P.7 paper publication has also been taken out and none has objected for it.

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 C.K.Ravichandran. Therefore, the petition is ordered as prayed for and a direction for grant of Succession Certificate in favour of the petitioners with power to collect the securities with interest and dividends on and negotiate and transfer the securities specified in the schedule, is issued and first petitioner is directed to deposit the share of the minors, viz., the second and third

petitioners, in any nationalised bank in the interest bearing deposit, and hand over the copy of the deposit receipt before this Court. The first petitioner is directed to render account once in a year.

Sd/.N.S.K.J

08.06.2018

//Certified to be a true copy//

Dated this the th day of 2018.

KY/20.09.2018

COURT OFFICER

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



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