

O.P.No.362 of 2019

K.KALYANASUNDARAM, J.,

This Petition has been filed under Section 372 of the Indian Succession Act, 1925 read with Order XXV Rule 6 of Original Side Rules 1956, to grant succession certificate in favour of the petitioner.

2. It is the case of the petitioner that the deceased L.Basker, died on 09.06.2017 at Jeevodaya Hospital situated at No.1/272, Kamaraj Road, Mathur, Chennai - 600 068, while he was under treatment and he was ordinarily resided at No.6, Kanniammal Koil Street, Shenoy Nagar, Chennai - 600 030 and left the properties within the jurisdiction of this Court. The deceased at the time of his death left behind his mother, the petitioner herein as his only surviving legal heir. The wife of the deceased predeceased him and they had no issues born out of the wedlock. The petitioner is the class I legal heir of the deceased, who claims to be entitled to get the benefits of the security, which is mentioned in the schedule namely the L.I.C. Policy "New Bhima Gold Scheme" for the value of Rs.1,00,000/-.

3. It is further stated that the deceased died intestate and though diligent search has been made for a Will but none has been found. The

deceased left behind his mother, the petitioner herein as the next kin and there are no other legal heirs or next of kin or kith interested to be impleaded. No application 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 the Will annexed to the properties and credits and no application had been filed 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. Hence, the petitioner has approached this Court for grant of Succession Certificate with power to collect the debts and to receive the interest thereon as specified in the schedule.

4. The petitioner examined herself as P.W1 and marked Exs.P1 to P7 viz.,

- i) Ex.P1 is the photocopy of her Aadhaar card bearing No.8547 4753 9135.
- ii) Ex.P2 is the photocopy of the LIC bond dated 22.07.2009 bearing policy No.718753203 in favour of L.Baskar.
- iii) Ex.P3 is the photocopy of the letter dated 19.07.2017 sent by her to the Branch Manager, Poonamallee Branch, Poonamallee.
- iv) Ex.P4 is the computer generated copy of the death certificate of B.Madavi, who died on 25.5.2017.

- v) Ex.P5 is the computer generated copy of the death certificate of L.Baskar, who died on 09.06.2017.
- vi) Ex.P6 is the computer generated copy of the Legal Heirship certificate dated 17.3.2019 in respect of L.Baskar.
- vii) Ex.P7 is a copy of paper publication effected in one issue of Tamil daily "Makkal Kural" dated 04.07.2019.

She has further stated in her evidence that she has not filed any other petition seeking the same relief.

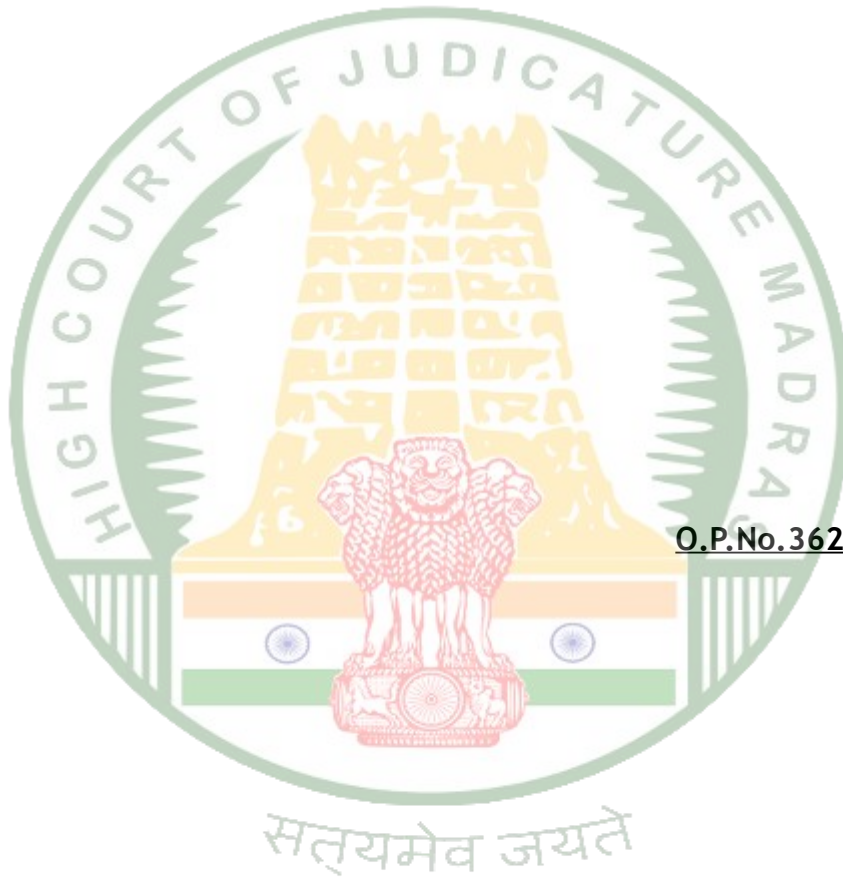
5. Considering the averments made in the petition and the documents filed by the petitioner, I am satisfied that the petitioner has succeeded the Estate of the deceased. Therefore, the petition is ordered as prayed for and a direction for grant of Succession Certificate to the petitioner with power to collect the debts and to receive the interest thereon as specified in the schedule. The petitioner is directed to render account once in a year.

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