

O.P.No.282 of 2019

K.KALYANASUNDARAM, J.,

This Petition has been filed under Section 372 of the Indian Succession Act of 39 of 1925 read with Order XXV Rule 6 of the Madras High Court Original Side Rules to grant Succession Certificate in favour of the first petitioner.

2. It is the case of the petitioners that the deceased U.Prema Bai ordinarily resided at No.29/15, Vedhanta Desigar Street, Palathoppe, Mylapore, Chennai and died on 11.01.2018 at Kauvery Hospital, MBC Towers, No.199/90, Luz church Road, Mylapore, Chennai. The deceased U.Prema Bai died intestate and left the properties specified in the Schedule within the jurisdiction of this Court. Though due and diligent search has been made for a Will but none has been found. The husband of the deceased pre-deceased her. The deceased at the time of her death, left behind the petitioner as her class I legal heirs.

3. The Succession Certificate is required for the purpose of transferring the amount standing in the name of the deceased into the name of the first petitioner, for which, other petitioners have given their consent. The assets in respect of which the Succession Certificate is required are of the total value of Rs.9,73,570/-. 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 his properties and credits

and no application has been made for a Succession Certificate in respect of any debt or security belonging to the estate of the deceased to any District Court or delegate or to any High Court.

4. The first petitioner examined himself as PW1 and marked exhibits Exs.P1to P13.

- a) Ex.P1 is the photocopy of the Aadhaar card of the first petitioner bearing No.2849 0477 7818 (Marked after comparing and verifying with the original).
- b) Ex.P2 is the photocopy of the Aadhaar card of the 2nd petitioner bearing No.7385 6687 2753 (Marked after comparing and verifying with the original).
- c) Ex.P3 is the photocopy of the Aadhaar card of the 3rd petitioner bearing No.7801 3322 3139 (Marked after comparing and verifying with the original).
- d) Ex.P4 is the photocopy of the Aadhaar card of the 4th petitioner bearing No. 2189 3883 9128 (Marked after comparing and verifying with the original).
- e) Ex.P5 is the photocopy of Aadhaar card of his deceased mother Premabai, bearing No.8900 7774 9792 (Marked after comparing and verifying with the original).
- f) Ex.P6 is the computer generated copy of the death certificate of his deceased mother U.Prema Bai, who died on 11.01.2018.
- g) Ex.P7 is the compute generated copy of the death certificate of his deceased father G.Uttamchand Kochar, who died on 15.04.2013.
- h) Ex.P8 is the photocopy of the passbook of State Bank of Bikaner & Jaipur bearing account No.51024375928 standing in the name of

Premabai (Marked after comparing and verifying with the original).

- i) Ex.P9 is the photocopy of the Legal Heirship certificate dated 23.02.2018 in respect of Mrs.U.Premabai (Marked after comparing and verifying with the original).
- j) Ex.P10 is the consent affidavit given by the 2nd petitioner.
- k) Ex.P11 is the consent affidavit given by the 3rd petitioner.
- l) Ex.P12 is the consent affidavit given by the 4th petitioner.
- M) Ex.P13 is a copy of paper publication effected in one issue of Tamil daily "Maalai Sudar" dated 04.06.2019.

He has further stated in his evidence that he has not filed any other petition seeking the same relief.

5. 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. Therefore, the petition is ordered as prayed for and a direction for grant of Succession Certificate to the first petitioner with power to collect the debts and to receive the interest specified in the schedule is issued. The petitioners are directed to render account once in a year.

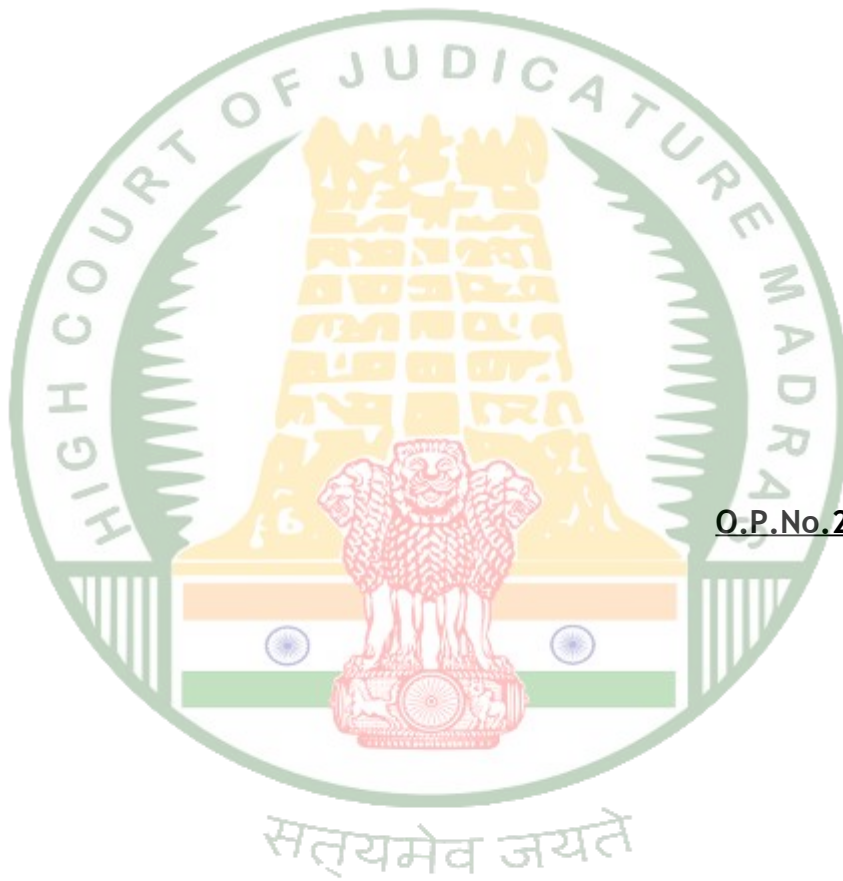
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