

O.P.No.510 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 the Madras High Court Original Side Rules to grant Succession Certificate in favour of the petitioners.

2. It is the case of the petitioner is that the petitioners are mother, and sons of the deceased M.R.Rajakrishna. The respondent is daughter of the deceased. The deceased ordinarily resided at No.38, Vijayaraghava Road, T.Nagar, Chennai-17. The deceased died on 26.09.1999 and intestate and left the properties specified in the Schedule within the jurisdiction of this Court. The parents of the deceased predeceased him. Though due and diligent search has been made for a Will but none has been found. The deceased at the time of his death, left behind petitioners and the respondent as his only next of kin herein and they are entitled to a share in the estate.

3. The Succession Certificate is required for the purpose of transferring the shares standing in the name of the deceased into the name of the petitioners, 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.84,57,506/-. 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 second petitioner examined himself as PW1 and marked exhibits Exs.P1 to P6.

- a) Ex.P1 is the computer generated Death Certificate of Mr.M.R.Rajkumar, who died on 23.08.2015.
- b) Ex.P2 is the photocopy of Legal Heirship certificate dated 09.04.2018 in respect of Mr.M.R.Rajkumar.
- c) Ex.P3 is the computer generated copy of the death certificate of Mr.M.R.Rajakrishnan, who died on 26.09.1999.
- d) Ex.P4 is the legal heirship certificate dated 28.10.1999 in respect of Mr.M.R. Rajkrishna
- e) Ex.P5 (series) are the photocopies of the share certificates and debenture certificates in the name of Mr.M.R.Raja Krishna (some of the original documents have been handed over in the company and some other documents are with the bank).
- f) Ex.P6 is a copy of paper publication effected in one issue of Tamil daily "Tina Boomi" dated 28.08.2019

He has further stated in her 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 petitioners with power to collect the securities and to receive dividends, negotiate and transfer the securities specified in the schedules, is issued.

21.11.2019

vsn

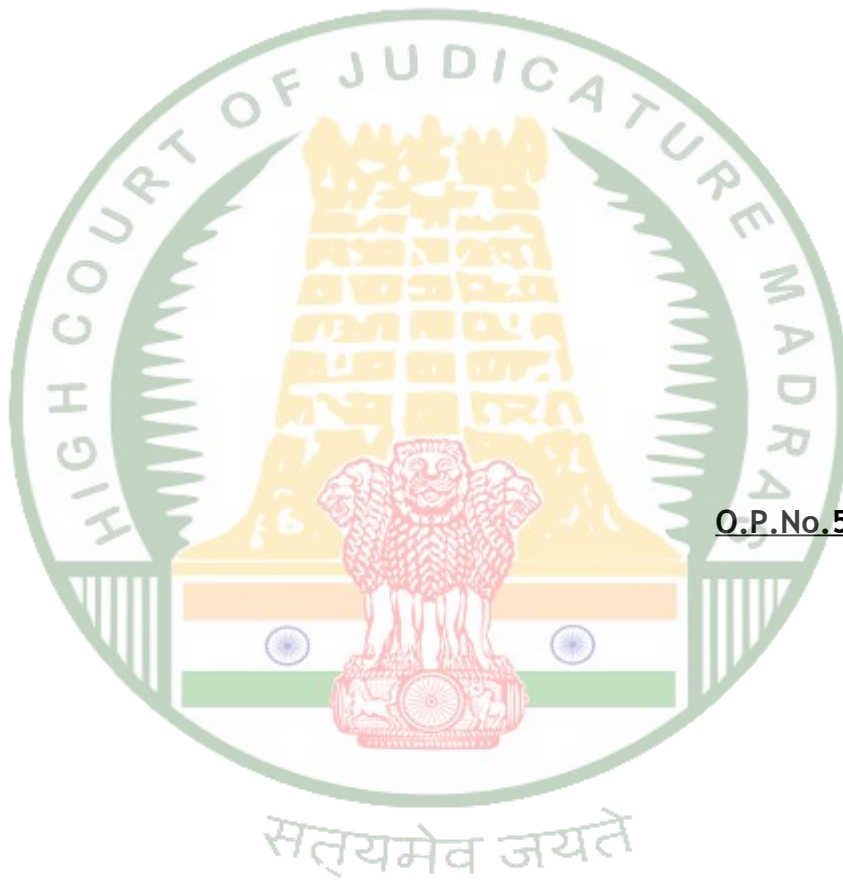


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