

O.P.No.467 of 2019

K.KALYANASUNDARAM, J.,

This petition has been filed under Section 372 of the Indian Succession Act XXXIX of 1925 r/w Order XXV Rule 6 of O.S. Rules to grant succession certificate in favour of the petitioner.

2. In the petition, it is stated that the deceased S.Sivakami was ordinarily residing at No.8/196, Bhavaniamman Street, Krishna Murthy Nagar, Kodungaiyur, Chennai. The deceased was employed as a Sweeper in Rippon Building, Greater Chennai Corporation and she retired from her service on 01.06.2012 and died issueless on 31.03.2018. The husband of the deceased died on 06.11.1987. The deceased died intestate and that due and diligent search has been made for a Will but none has been found.

3. The petitioner is the brother of the deceased and he is the only class II legal heir of the deceased. The succession certificate is required for the purpose of getting Family death benefit fund and Rs.10,000/- in Indian Bank Erukancherry Branch, Chennai and Rs.12,000/- in IOB, Rippon Buildings Branch, Chennai. The assets in respect of which the Succession Certificate is required are of the value of Rs.72,000/-.

4. 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.

5. The petitioner examined himself as PW1 and marked exhibits P1 to P7.

- a) Ex.P1 is the photocopy of the Indian Bank passbook bearing account No.428444453 in the name of his sister S.Sivakami.
- b) Ex.P2 is the photocopy of the Indian Overseas Bank passbook bearing account No.171101000004101 in the name of S.Sivakami.
- c) Ex.P3 is the photocopy of his family card bearing No.01/G/0379140.
- d) Ex.P4 is the photocopy of the Pension Payment order dated 29.05.2012 in respect of S.Sivakami.
- e) Ex.P5 is the computer generated copy of the death certificate of S.Sivakami, who died on 31.03.2018.
- f) Ex.P6 is the photocopy of the representation dated 04.04.2018 given by him to the Account Officer, Pension Section.
- g) Ex.P7 is a copy of paper publication effected in one issue of Tamil daily "Makkal Kural" dated 21.08.2019.

He has further stated that he has not filed any other petition before any other Court seeking the same relief.

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6. 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 specified in the schedule, is issued. The petitioner is directed to render account once in a year.

24.10.2019

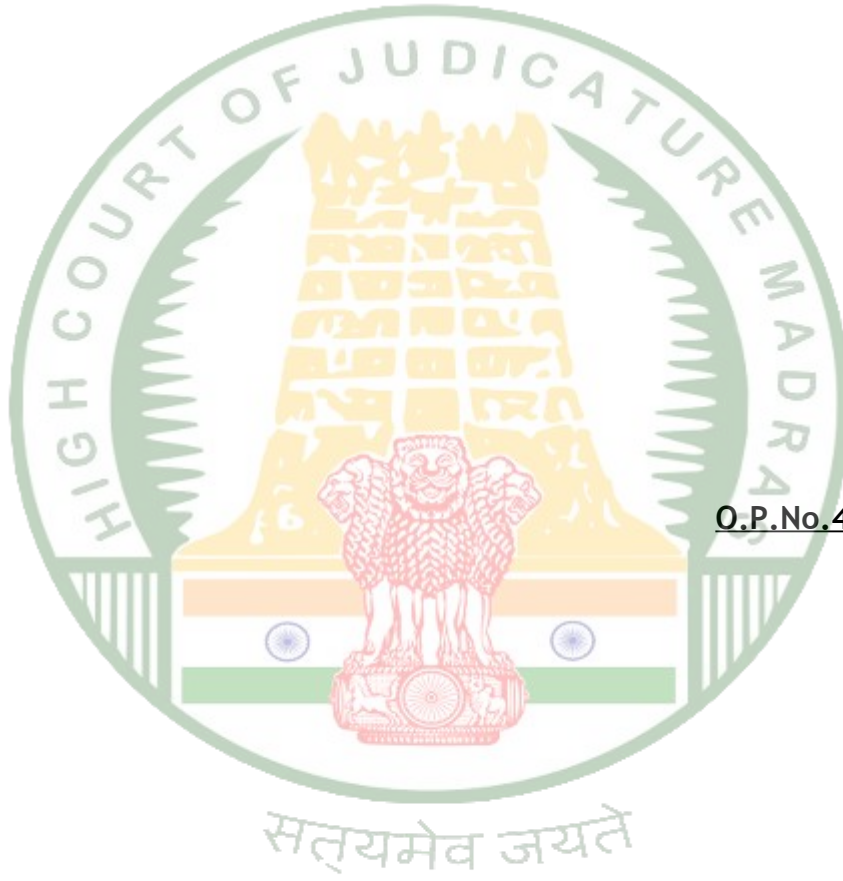
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K.KALYANASUNDARAM, J.,

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