

O.P.No.395 of 2019**K.KALYANASUNDARAM, J.,**

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. Ms.Nirmala Devi, learned counsel appearing on behalf of the petitioners would submit that the petitioners were born out of the lawful wedlock of their father Venkateswarulu with Ramathulasiammal and after the death of their mother-Ramathulasiammal on 18.11.1984, their father married Deenamma, who is the own sister of Ramathulasiammal.

3. The learned counsel further submitted that the petitioners father died on 31.12.2004 and the step mother Deenamma died issue less on 18.12.2015, when she was working as Sweeper in the Corporation of Chennai.

4. It is the case of the learned counsel for the petitioners that the petitioners are surviving legal-heirs of their deceased parents and hence, they are entitled for issuance of succession certificate and the same is required for the purpose of redemption of death benefit of Rs.10,44,044/-

5. The first petitioner examined herself as PW1 and marked exhibits
Exs.P1 to P7

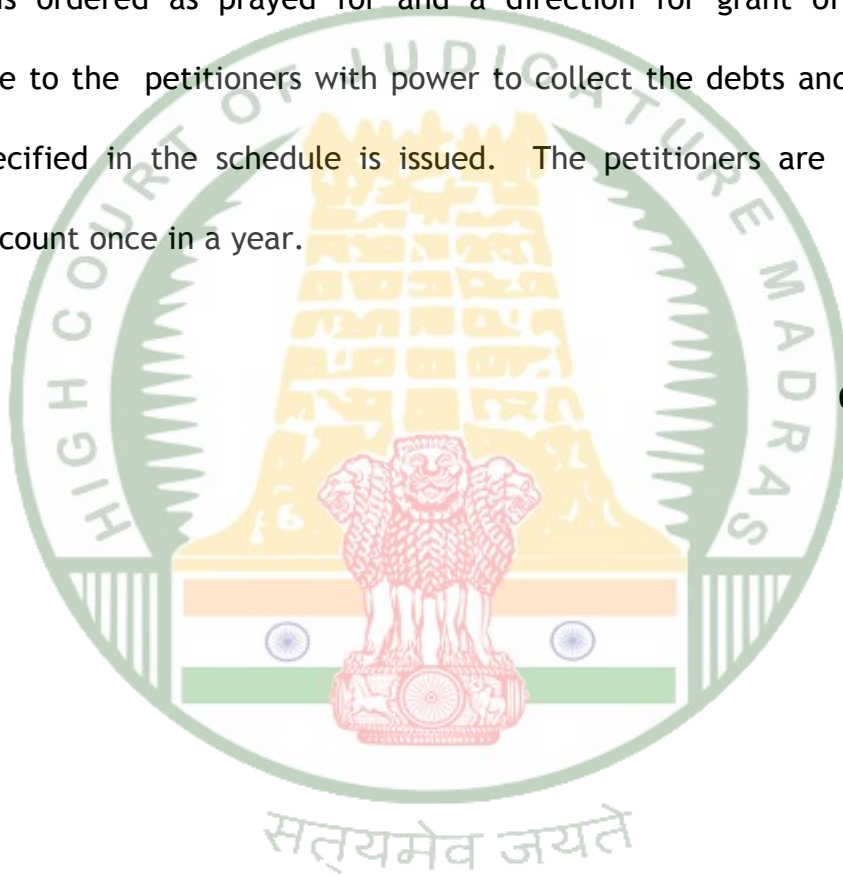
- a) Ex.P1 is the computer generated Death Certificate of her mother deceased Deenamma (Her father's 2nd wife), who died on 18.12.2015.
- b) Ex.P2 is the photocopy of Service Register bearing No.645453 in respect of deceased Deenamma
- c) Ex.P3 is the photocopy of the Legal Heirship certificate dated 02.08.2005 in respect of her father K.Venkateswarulu.
- d) Ex.P4 is the photocopy of Passport of the Order dated 06.12.2017 in W.P.No.27356 of 2017 passed by this Court.
- e) Ex.P5 is the photocopy of letter, dated 18.01.2018 addressed to her from Assistant Executive Engineer, Corporation of Chennai disclosing the details of terminal benefits in respect of the deceased Deenamma.
- f) Ex.P6 (Series 4 Nos) are the photocopies of Aadhaar cards in respect of petitioner 1 to 4
- g) Ex.P7 is the photocopy of paper publication effected in one issue of Tamil daily "Makkal Kural" dated 17.07.2019.

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

6. Considering the averments made in the above petition and the oral and documentary evidence produced 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 debts and to receive it, as specified in the schedule is issued. The petitioners are directed to render account once in a year.

vsn

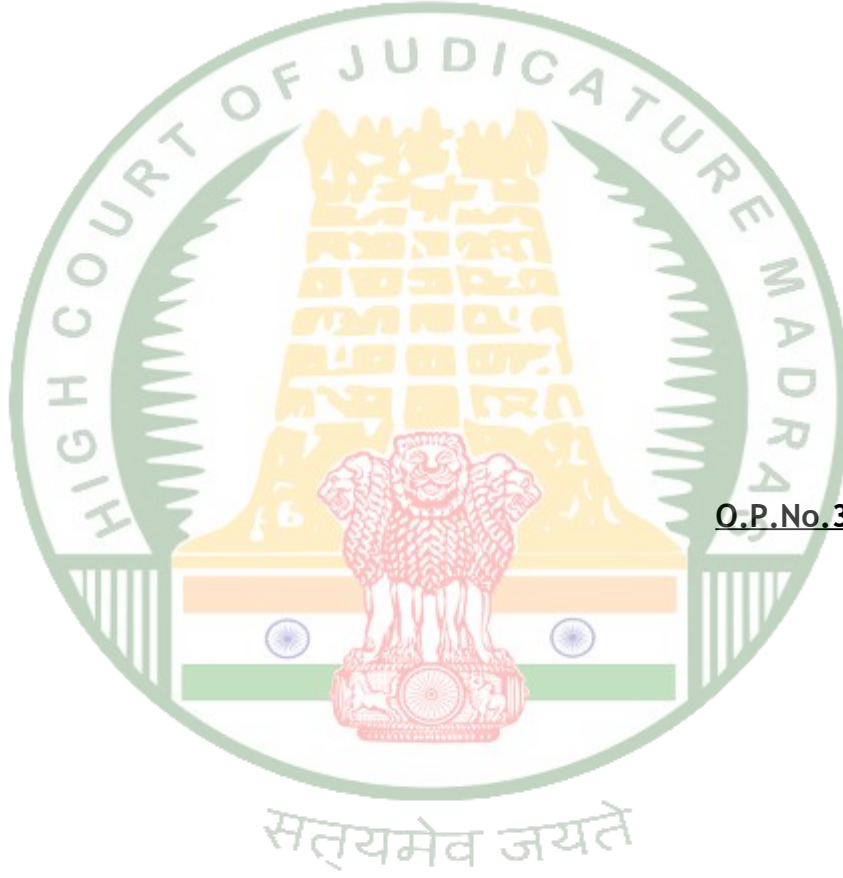
09.09.2019



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