

O.P.No.713 of 2019

K.KALYANASUNDARAM, J.

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

2. In the petition, it is stated that the deceased Ms.D.Srimathi, ordinarily resided at Old No.4, New No.864, Mettu Street, Ekkadu Village, Thiruvallur and died on 02.11.2015 as spinster. The deceased died intestate and that due and diligent search has been made for a Will but none has been found. The deceased at the time of her death left her parents, the petitioners herein as his surviving Class - I legal heirs. Hence, the petitioners are claim to be entitled to equal share of the estate of the deceased. The Succession Certificate is required for the purpose of receiving the death benefits from the employer of the deceased. The amount of assets in respect of which the succession certificate is required are of the value of Rs.6,00,000/-.

3. 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.

No application for a succession certificate in respect of any debt or security belonging to the estate of the deceased has been made to any District Court or Delegate or to any High Court.

4. The first petitioner examined himself as PW1 and deposed evidence on behalf of other petitioner also and marked exhibits P1 to P6.

- (1) Ex.P1 is the original death certificate of Ms.D.Srimathi, who died on 02.11.2015.
- (2) Ex.P2 is the original legal heirship certificate dated 02.01.2016 in respect of Ms.D.Sumathi.
- (3) Ex.P3 is the original certificate dated 27.07.2017 issued by the deceased Ms.D.Sumathi's employer namely Apollo Hospitals Enterprise Limited.
- (4) Ex.P4 is the original certificate dated 05.03.2019 issued by the deceased Ms.D.Sumathi's employer namely Apollo Hospitals Enterprise Limited.
- (5) Ex.P5 (series 2 Nos) are the photocopies of the Aadhaar card of the petitioners.
- (6) Ex.P6 is a copy of paper publication effected in one issue of Tamil daily "Makkal Kural" dated 19.10.2019.

He has further stated that he has not filed any other petition before any other Court 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 with a direction to grant Succession Certificate to the petitioners with power to collect the debts and to receive the interest if any specified in the schedule.

28.11.2019

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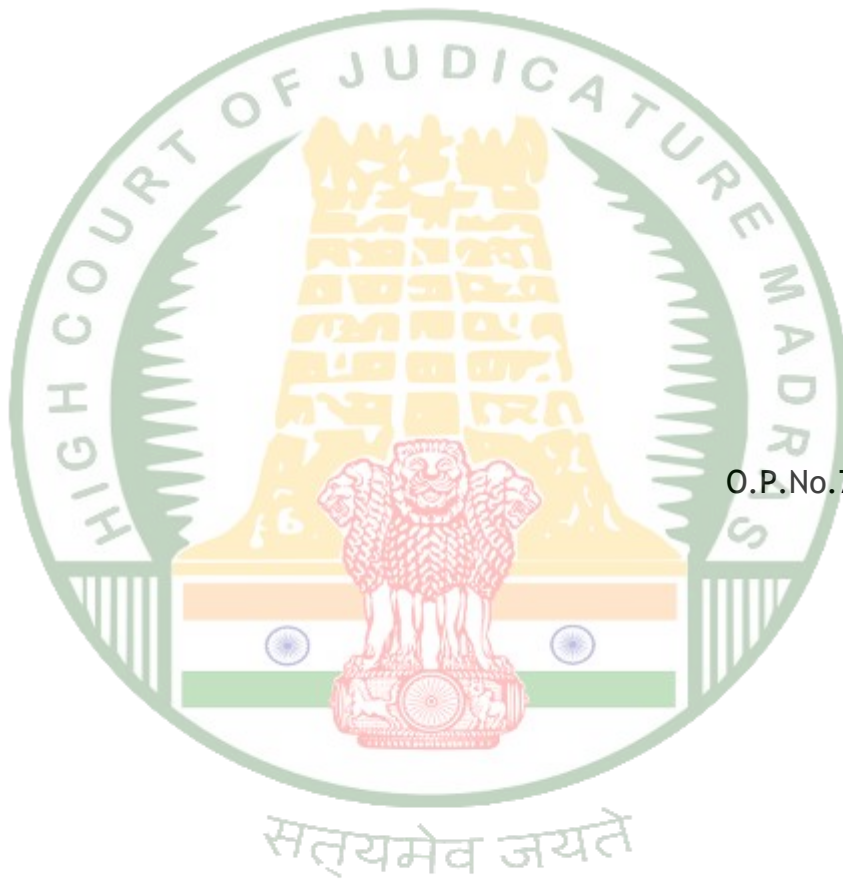


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