

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

SATURDAY, THE 27TH DAY OF APRIL, 2019

THE HON'BLE MRS. JUSTICE R.SUBRAMANIAN

O.P.No.520 OF 2018

In the matter of Indian
Succession Act 1925 (Act 39
of 1925)

AND

In the matter of Debts
Belonging to the R.Nirmala
Deceased intestate

K.Rajeev,
Son of (Late) S.Kuppusamy,
Flat No.T7, Madhurams Apartments,
Door No.6, 5th Avenue,
Besant Nagar,
Chennai - 600 090

...Petitioner

Vs.

K.Balaji,
Son of (Late) S.Kuppusamy,
Flat No.2, Srusti Sriganesh Apartments,
Door No.9, 6h Main Road,
Nanganallur,
Chennai -600 061.

... Respondent

Original petition praying that this Hon'ble Court
the petitioner therefore prays that a Succession
Certificate may be granted to the petitioner with power to
collect the debts and to receive the interest if any due
thereon specified in the schedule hereto.

This Original Petition coming on this day before
this Court for hearing, the Court made the followings
order:-

The petitioner seeks issuance of Succession Certificate in respect of the securities that stood in the name of the deceased Mrs.R.Nirmal who died on 28.09.2016.

2. The petitioner and the respondent are the sons of the deceased Mrs.R.Nirmala. Mr.S.Kuppusamy husband of Mrs.R.Nirmala died on 16.08.2016. Mrs.K.Kamala, one of the daughters of Mrs.R.Nirmala, a divorcee also died on 06.02.2017. As such the petitioner and respondent being the sons of the deceased Mrs.R.Nirmala are the Class - I heirs.

3. The petitioner has been examined as PW1. A proof affidavit has been filed by him setting out the relationship between him and the deceased. The death certificate of Mr.S.Kuppusamy has been marked as Ex.P1. The death certificate of Mrs.R.Nirmala has been marked as Ex.P2. The death certificate of the other sister Mrs.K.Kamala has been marked as Ex.P4. A copy of the order of divorce granted in favour of the deceased sister Mrs.K.Kamala has been marked as Ex.P3. The respondent had filed the consent affidavit for grant of Succession Certificate in favour of the petitioner and the same is marked as Ex.P11.

4. Publication has been effected and no objections have been received.

5. In view of the said evidence, this Original Petition is allowed granting Succession Certificate in respect of the securities mentioned in the schedule to the petition in favour of the petitioner.

Sd/.R.S.M.J

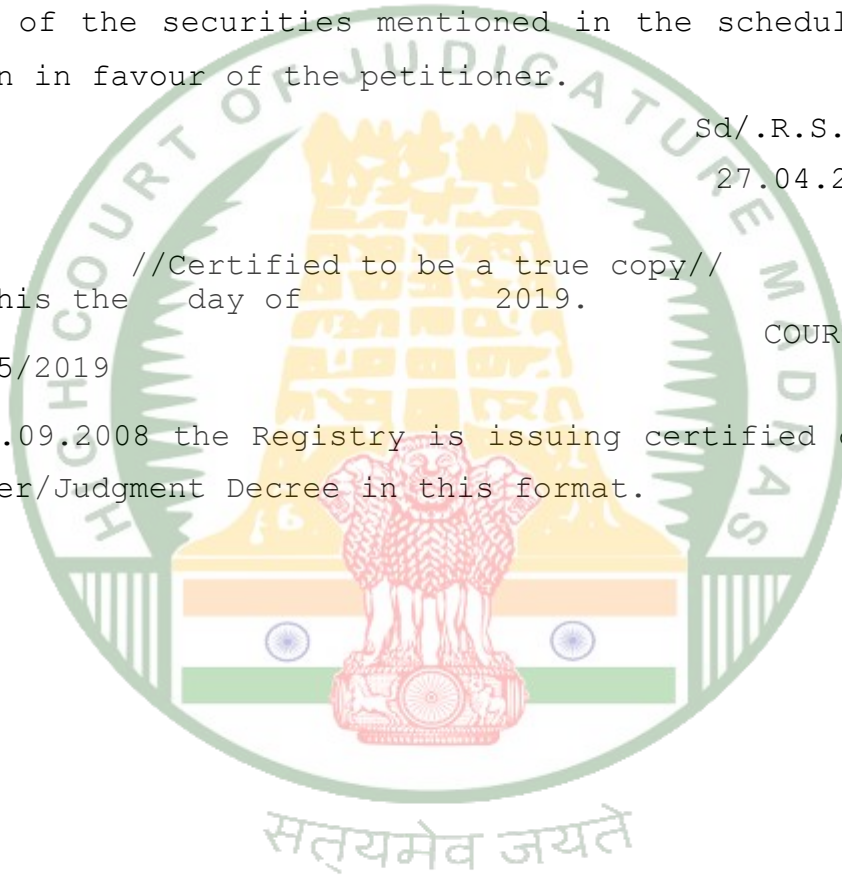
27.04.2019

//Certified to be a true copy//
Dated this the day of 2019.

TE/08/05/2019

COURT OFFICER

From 25.09.2008 the Registry is issuing certified copies of the Order/Judgment Decree in this format.



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