

O.P.No.632 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 Original Side Rules 1956, to grant succession certificate in favour of the petitioner.

2. In the petition, it is stated that the deceased K.S.Nagarajan ordinarily resided at New No.14, Old No.25, N R N Colony, Thirumangalam Road, Villivakkam, Chennai - 600 049 and died on 17.01.2019 and left the properties within the jurisdiction of this Court. 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 his death left his wife, the petitioner herein as his only surviving legal heir and they had no issues out of their wedlock. The petitioner is the legal heir of the deceased, who claims to be entitled to the entire shares of the deceased. The succession certificate is required for transferring the shares lying in the name of the petitioner for the value of Rs.15,57,487/-.

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 his properties and credits and no application had been filed for a succession certificate in respect of any debts or security belonging to the estate of the said deceased has been made to any District Court or delegate or to any High Court.

4.The petitioner examined herself as P.W.1 and marked Exs.P1 to P6 viz.,

i) Ex.P1 is the computer generated death certificate of her husband K.S.Nagarajan, who died on 17.01.2019.

ii) Ex.P2 is the computer generated Legal Heirship Certificate dated 01.03.2019 in respect of her deceased husband K.S.Nagarajan.

iii) Ex.P3 is the photocopy of her Aadhaar card bearing No. 2196 5924 8842.

iv) Ex.P4 is the photocopy of the Aadhaar Card of her husband K.S.Nagarajan, bearing No.8521 7688 9693.

v) Ex.P5 is the photocopy of the dematerialisation request form along with consolidated account statement for the period 01.09.2018 to 30.09.2018 and statement of holding with valuation as on 11.04.2019, in respect of demat account held by her deceased husband K.S.Nagarajan (Photocopy of the dematerialisation request form is compared with the

original client copy and consolidated account statement is compared with the original).

vi) Ex.P6 is a copy of paper publication effected in one issue of Tamil daily “Maalai Malar” dated 12.10.2019.

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

5.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 securities and to receive the interest and dividends on and negotiate and transfer the securities specified in the schedule hereto.

सत्यमेव जयते

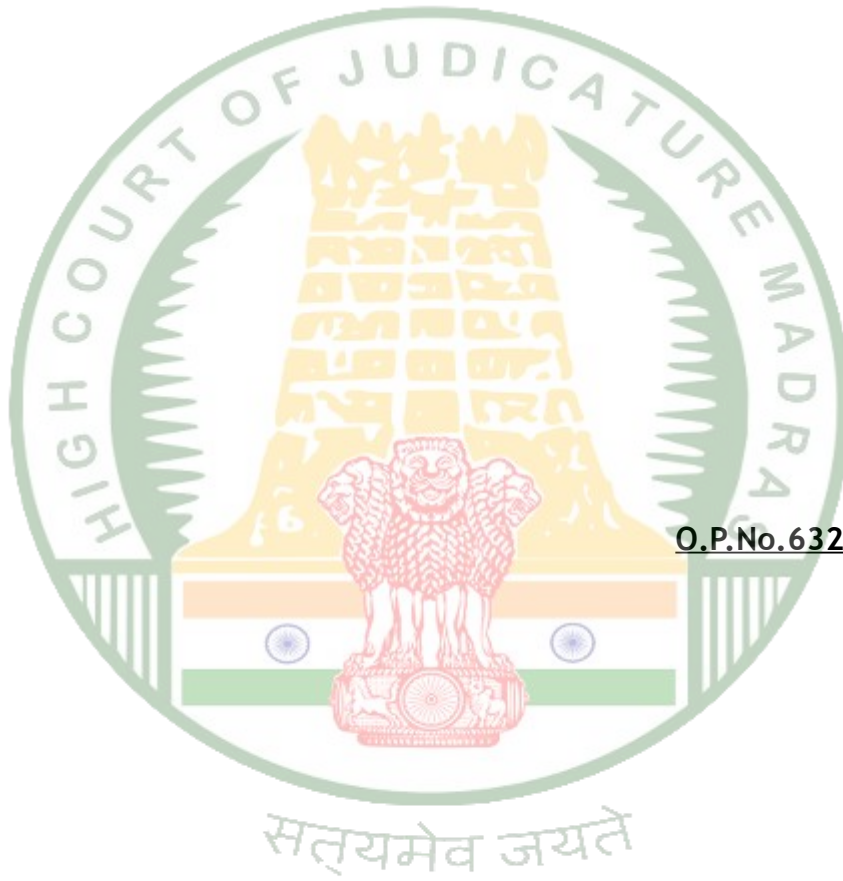
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