

O.P.No.544 of 2019

K.KALYANASUNDARAM, J.

This Petition has been filed under Section 372 of Indian Succession Act XXXIX, 1925 r/w Order XXV, Rule 6 of O.S Rules for grant of succession certificate.

2.In the petition, it is stated that the deceased Suresh Jayakumar Ignatius, died on 21.12.2011 at his residence at No.474, 4th Sector, 19th Street, K.K.Nagar, Chennai-600078 where he ordinarily resided and left the properties within the jurisdiction of this Court. The deceased died intestate and though due and diligent search has been made for Will, but, none has been found. The deceased is the husband of the first petitioner and father of the petitioners 2 and 3. The deceased at the time of his death left behind the petitioners herein as his only surviving legal heirs, who claims to be entitled a share of the estate of the deceased. The succession certificate is required for the purpose of receiving the proceeds out of the investments made in the shares and the assets in respect of which the succession certificate is required are of the value of Rs.1,19,830/-.

3. It is further stated that the petitioners 2 and 3 have no objection for granting Succession Certificate in favour of the first petitioner. No

application has been made at any District court or delegate or to any other High Court for probate of any Will of the said deceased or Letters of Administration with or without the Will annexed to his property and credits or for a Succession Certificate. Hence, the petitioners have approached this Court for grant of Succession Certificate in favour of the first petitioner, with power to collect the securities and to receive the interest and dividends or proceeds and negotiate and transfer the securities specified in the schedule.

4. The first petitioner examined herself as P.W.1, filed proof affidavit and deposed evidence on behalf of the petitioners 2 and 3 and also marked the following documents viz., Exs.P1 to P6.

i) Ex.P1 is the computer generated copy of the death certificate of Mr.Suresh Jayakumar Ignatius my husband N.Subramanian, who died on 21.12.2011.

ii) Ex.P2 is the photocopy of the Legal Heirship certificate dated 13.03.2012 in respect of Suresh Jayakumar Ignatius.

iii) Ex.P3 (series 5 Nos) are the photocopies of the share certificates of Reliance Industries Limited in the name of Mr.Suresh Jayakumar Ignatius (Marked after comparing and verifying with the originals).

iv) Ex.P4 is the consent affidavit given by the 2nd petitioner.

v) Ex.P5 is the consent affidavit given by the 3rd petitioner.

vi) Ex.P6 is a copy of paper publication effected in one issue of Tamil daily “Maalai Sudar”, dated 07.09.2019.

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 petitioners, I am satisfied that the first 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 first petitioner with power to collect the securities and to receive the interest and dividends or proceeds thereon and negotiate and transfer, is issued. The first petitioner is directed to render account once in a year.

cse

11.11.2019

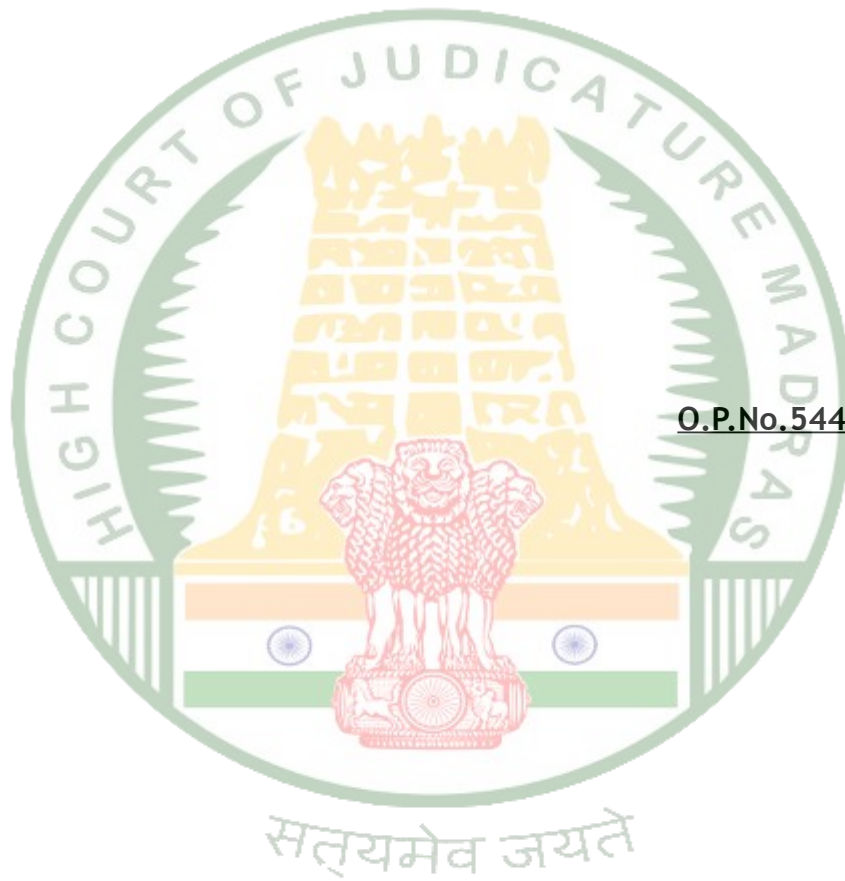
सत्यमेव जयते

WEB COPY

O.P.No.544 of 2019

K.KALYANASUNDARAM, J.

cse



O.P.No.544 of 2019

WEB COPY **11.11.2019**