

O.P.No.604 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 N.Krishnaswami ordinarily resided at No.66/4, 'Tan Homes' Flat No.7, Luz Church Road, Mylapore, Chennai - 600 004 and died on 10.05.2018. The deceased died intestate and that due and diligent search has been made for a Will but none has been found. The parents and wife of the deceased pre-deceased him. The deceased at the time of his death left his son and daughter, 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 amount of assets in respect of which the succession certificate is required are of the value of Rs.37,85,059/-.

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 P5.

- (1) Ex.P1 is the computer generated copy of the death certificate of N.Krishnaswami, who died on 10.05.2018.
- (2) Ex.P2 is the computer generated copy of the legal heirship certificate dated 27.06.2018 in respect of Krishnaswami.
- (3) Ex.P3 is the photocopy of the his Aadhaar card bearing No.4743 7769 1298.
- (4) Ex.P4 (series 6 Nos) are the photocopies of the share certificates in the name of Mr.Krishnaswamy Narasimhachari along with the computer generated copies of the rate of the share as on 24.06.2019.
- (5) Ex.P5 is a copy of paper publication effected in one issue of Tamil daily "Maalai Sudar" dated 09.09.2019.

He has further stated that he has not filed any other petition before any other Court seeking the same relief.

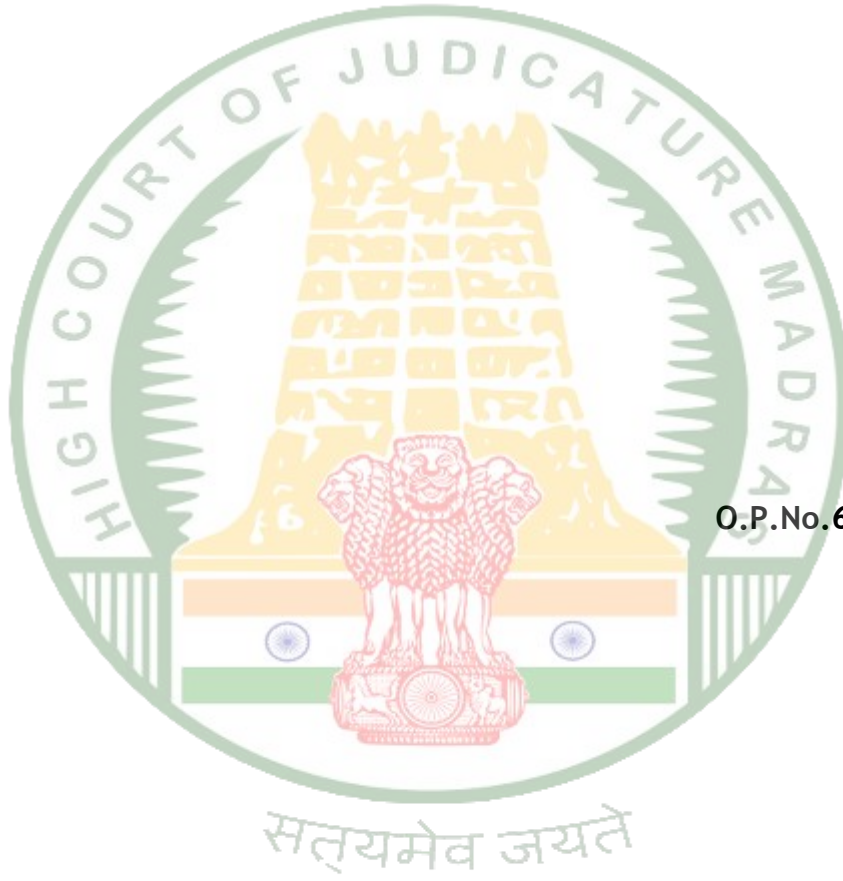
5. Considering the averments made in the petition and the documents filed by the petitioners, I am satisfied that the petitioners have succeeded the Estate of the deceased. Therefore, the petition is ordered with a direction to grant Succession Certificate to the petitioners with power to collect the securities and to receive the interest, dividends and also to negotiate and transfer the securities specified in the schedule.

28.11.2019

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K.KALYANASUNDARAM, J.

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