

IN THE HIGH COURT OF JUDICATURE AT MADRAS
(TESTAMENTARY AND INTESTATE JURISDICTION)

WEDNESDAY, THE 17TH DAY OF JULY 2019

THE HON'BLE MR.JUSTICE R.SUBRAMANIAN

O.P.No.175 of 2017

In the matter of Indian
Succession Act, XXXIX of
1925
and

In the matter of Debts of
Thiru J.Kannadasan (died
Intestate)

1. Tmt.K.Manonmani,
W/o.Late.Kannadasan
2. K.Menaka,
D/o.Late.Kannadasan
3. K.Santhish Kumar,
S/o.Late.Kannadasan
4. Minor K.Sivaprakasa,
S/o.Late.Kannadasan
5. Minor K.Surya Prakash,
S/o.Late.Kannadasan

The petitioners 4 and 5 are minors,
and Rep.by their mother and natural guardian,
Tmt.K.Manomani.

All are residing at No.3/227, Panchatcharam Nagar,
No.3/227, Panchatcharam Nagar,
Pattu Mangadu,
Chinnapanichery,
Chennai-602 101.

..Petitioners

-VS-

Tmt.K.Kasiammal,
W/o.Late Kannadasan,
No.10C, Ponnuvel Thottam Main street,
Chennai-600 029.

..Respondent

Original Petition praying that this Hon'ble Court be pleased that a succession certificate may be granted to the petitioners with power to collect the debts and to receive the interest specified in the schedule in the petition.

This Original Petition coming on this day before this court for hearing the court made the following order:

The petitioners seek issuance of succession certificate in respect of the securities that stood in the name of Late J.Kannadasan, who died intestate on 18.02.2014.

2. The petitioners are the wife and children of the deceased. The first petitioner has examined herself as P.W.1, she has produced the marriage invitation as Ex.P1 and the family card as Ex.P3. The birth certificate of the petitioners 4 and 5 have been produced as Exs.P4 and P5 and the school transfer certificate of the third petitioner has been marked as Ex.P6. The original death certificate of the deceased J.Kannadasan has been marked as Ex.P21. Paper publication as required has been made and no objections have been received. The first petitioner has stated that the other petitioners are the children born through the said marriage that took place between her and Kannadasan on 18.02.1990. Though the respondent claimed that she is the wife of the deceased Kannadasan, she had not appeared pursuant to the summons issued.

3. In the absence of contra evidence, I am constrained to conclude that the petitioners are the legal heirs of the deceased Kannadasan and they are entitled to succession

certificate. Accordingly, this original petition is allowed granting succession certificate in respect of the securities mentioned in the schedule to the petition in favour of the petitioners.

Sd/.R.S.M.J
17.07.2019

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

SU/07.08.2019

COURT OFFICER

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



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