

O.P.No.1181 of 2018**K.KALYANASUNDARAM, J.,**

This Petition has been filed under Section 372 of the Indian Succession Act, read with Order XXV Rule 6 of the Madras High Court Original Side Rules to grant Succession Certificate in favour of the first petitioner.

2. It is the case of the petitioners that the deceased L.S.Halasya Sundarnath ordinarily resided at Kavery Apartments, Flat No.A2E/3, Duraisamy 2nd street, korattur, Chennai and died on 14.01.2017 in between korattur and pataravakkam Railway station at Chennai. The deceased father and mother predeceased him. The deceased died intestate and left the properties specified in the Schedule within the jurisdiction of this Court. The first and second petitioners are the sisters of the deceased. Though due and diligent search has been made for a Will but none has been found. The deceased at the time of his death, left behind his sisters as his only next of kin, who are the petitioners herein and they are entitled to a share in the estate.

3. The Succession Certificate is required for the purpose of transferring all the values in the schedule mentioned schemes into the name of the First petitioner, for which, other petitioner has given their consent. The assets in respect of which the Succession Certificate is required for the value of Rs.2,00,000/-. 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 has been made for a Succession Certificate in respect of any debt or security belonging to the estate of the deceased to any District Court or delegate or to any High Court.

4. The First petitioner examined herself as PW1 and marked exhibits Exs.P1 to P7.

- a) Ex.P1 is the computer generated copy of the Death Certificate of L.B.Swaminathan who died on 11.04.2005.
- b) Ex.P2 is the photocopy of the Identity card of L.S.H.Sundar Nath issued by A.P.S.R.T.C. Mandanapalle-1.
- c) Ex.P3 is the computer generated copy of the death certificate of L.S.Devi, who died on 22.03.2014.
- d) Ex.P4 is the computer generated copy of the death certificate of L.S.Halasya Sundarnath, who died on 14.01.2017.
- e) Ex.P5 is the photocopy of the certificate dated 02.06.2017 issued by Tahsildar, Ambattur.(The original certificate has been submitted before the office of the A.P.S.R.T.C. Madanapalle-1).
- f) Ex.P6 is the consent affidavit given by the 2nd petitioner.
- g) Ex.P7 is a copy of paper publication effected in one issue of Tamil daily "Makkal Kural" dated 01.08.2019.

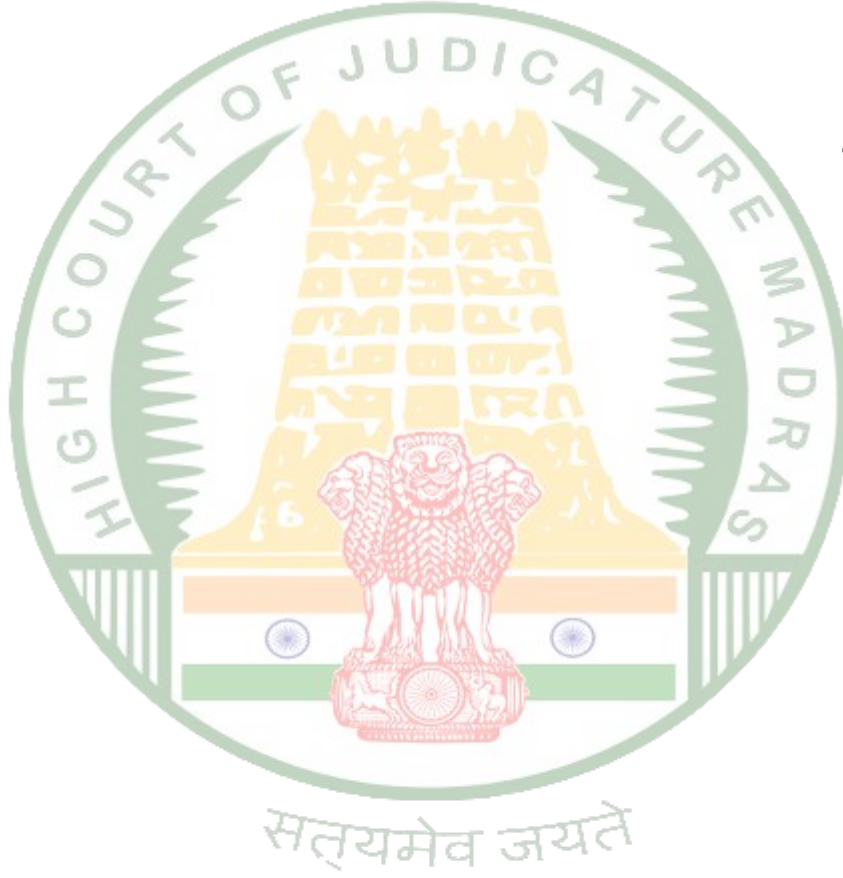
She has further stated in her evidence that she has not filed any other petition seeking the same relief.

5. Considering the averments made in the petition and the documents filed by the petitioners, I am satisfied that the petitioners have 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 monetary benefits and to receive the interest and dividends on and negotiate and transfer the securities specified in the schedule, is issued. The petitioners are directed to render account once in a year.

vsn

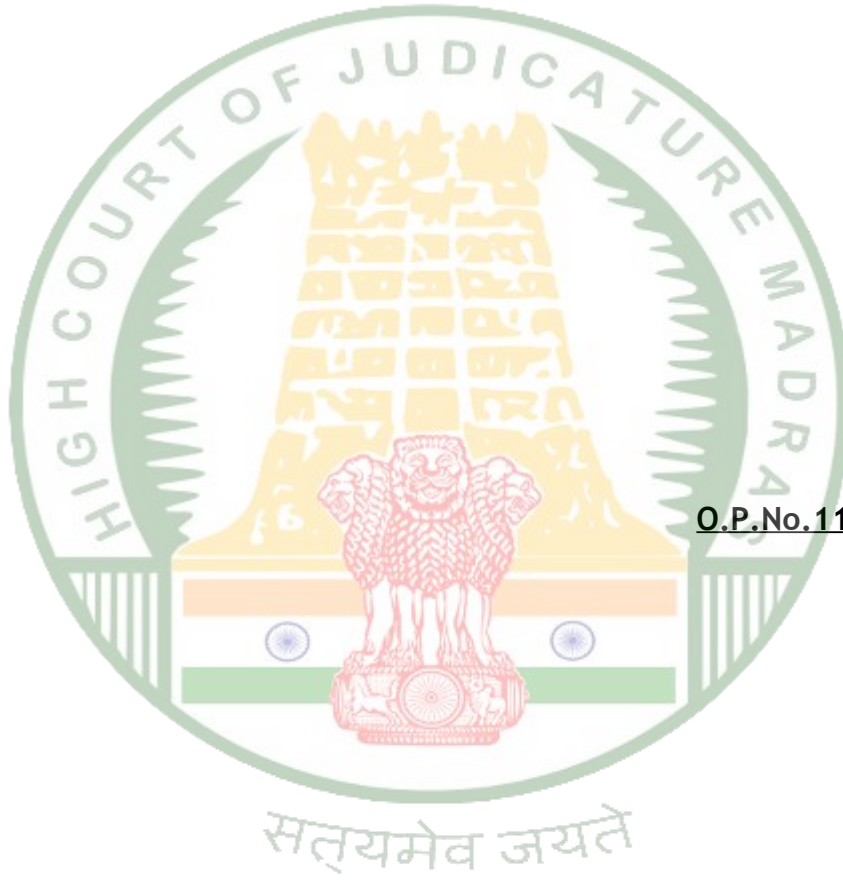
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