

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

FRIDAY, THE 27TH DAY OF NOVEMBER 2020

THE HON'BLE MR. JUSTICE N.SATHISH KUMAR

O.P. No.57 of 2013

In the matter of the Indian
Succession Act XXXIX of 1925
and
In the matter of the debts of
K.Nithyanandam- died intestate.

N.KALYANI
W/O.LATE K.NITHYANANDAM,
NO.2/18, VELAYUDHAM I LANE,
PUDUPET, CHENNAI - 2 ..PETITIONER

-VS-

1. GANESH KRISHNA
S/O.LATE K.NITHYANANDAM,

2. DURGA RANI
D/O.LATE K.NITHYANANDAM,
R1 & R2 RESIDING AT NO.2/18,
VELAYUDHAM I LANE,
PUDUPET, CHENNAI - 2

3. KUMUDAVALLI
NO.27/F2, RAJALAKSHMI NAGAR,
8TH CROSS STREET, VELACHERY,
CHENNAI – 600 042

..RESPONDENTS

Original Petition praying that this Hon'ble Court be pleased that a Succession Certificate may be granted to the petitioner with power to collect the debts and to receive the interest, as specified in the schedule hereto.

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

This Original Petition has been filed under Section 370 and 372 of the Indian Succession Act XXXIX of 1925 read with Order XXV Rule 6 of the Original Side Rules, to grant succession certificate in favour of the petitioner.

2. There is no representation on the side of the Applicant.

3. The evidence has been completed.

4. The petition has been filed for grant of succession certificate in favour of the petitioner in respect of deceased Nithyanandam, the husband of the petitioner and the father of the respondents 1 and 2.

5. On the side of the petitioner, the petitioner herself examined as PW1 and the respondents 1 and 2 examined as PW2 and PW3 respectively.

6.Ex.P1 is the death certificate filed to prove the death of the petitioner's husband. Ex.P2 is the original Legal heirship certificate in respect of deceased K.Nithayandam in which the petitioner, the respondents 1 and 2 have been shown as legal heirs. Ex.P3 is the mother of the deceased died on 21.01.2007. Exs.P7, P8, P9 and P10 filed to show that the deceased is entitled to gratuity settlement in service benefits. Ex.P11 is the affidavit filed by the third respondent stating that she has no objection for issue of succession certificate in favour of the petitioner.

7.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 Nithyanandam. Therefore, the petition is ordered as prayed for and a direction for grant of Succession Certificate in favour of the petitioner with power to collect the debts and to receive the interest as specified in the schedule, is issued.

Sd/N.S.K.J.

27.11.2020

//Certified to be a true copy//

Dated this the th day of 2020.

SU/03.12.2020

COURT OFFICER(O.S.)

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