

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

WEDNESDAY, THE 16TH DAY OF DECEMBER 2020

THE HON'BLE MR. JUSTICE N.SATHISH KUMAR

O.P.No.942 of 2019

In the matter of Indian Succession Act
of 1925 and
In the matter of debts of Mr.G.Pukhraj
- Intestate Deceased

1. Mr.P.ASHOK KUMAR
S/o.Late Pukhraj
16B, Rajarathinam Street,
Kilpauk, Chennai-600010.

2.Mrs. UMRAOBAI
W/o.Late Pukhraj
16B, Rajarathinam Street,
Kilpauk, Chennai-600010.

3.Mrs.PREMALATHA
W/o.Ashok Sethiya,
and D/o.Late Pukhraj,
39-104, Kilpauk,
Chennai-600010.

4.Mrs. CHANDRA
W/o.Pravin and D/o.Late Pukhraj,
New No.129 (Old No.45/2)
Perambalu Chetty Street,
Chennai-600 001.

5.Mrs. NIRMALA
W/o.Surendar and D/o.Late Pukhraj,
No.50, Venaktachalam Street,
Royapuram, Chennai-600013.

6.Mr. UGAMRAJ PARMAR
S/o.Late Pukhraj
No.16B, Rajarathinam Street,
Kilpauk, Chennai-600010.

7.Mrs. MANJU JAIN
W/o.Bharat Jain and D/o.Late Pukhraj,
No.9, Ponnappan Late, Sowcarpet,
Park Town, Chennai-600003 ..Petitioners

This original petition praying that this Hon'ble Court be pleased that the Succession certificate may be granted to the first petitioner with power to collect the debts and to receive interest, morefully described in the Schedule to the petition.

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

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.

3. It is the case of the petitioners that the deceased Pukhraj is the father of petitioners 1, 3 to 7 and husband of the second petitioner. The said Pukhraj died on 07.01.2019. The petitioners are the class I legal heirs of the deceased Pukhraj. The deceased died intestate and though due and diligent search has been made for a Will, none has been found in respect of the debts mentioned in the schedule. The deceased left the securities in the form of shares specified in the Schedule, within the jurisdiction of this Court. The value of the assets of the deceased comes to Rs.15,76,157/-. The succession certificate is required for the purpose of collecting the debts. Hence, the petitioners have approached this Court for grant of succession certificate in favour of the first petitioner with power to collect the debts as specified in the schedule.

4. On the side of the petitioners, the first petitioner was examined as P.W.1 and marked Ex.P1 to Ex.P.12.

5. P.W.1 in his evidence had narrated the averments made in the petition stating that the petitioners have filed this petition for grant of Succession Certificate in favour of the first petitioner. Ex.P.1 is the bank passbook of the deceased G.Pukhraj. Ex.P.2 is the death certificate of Pukhraj, who died on 07.01.2019. Ex.P.3 is the Legal Heirship Certificate

dated 28.07.2019 in respect of the deceased Pukhraj. Ex.P.11 is the joint consent affidavit filed by the petitioners 2 to 7.

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

Sd/.N.S.K.J.
16.12.2020

//Certified to be a true copy//
Dated this the day of 2020.

SU/29.12.2020

COURT OFFICER(O.S.)

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