

O.P.No.887 of 2018**N. SATHISH KUMAR, 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 petitioner.

2.Heard the learned counsel for the petitioner and the learned counsel for the respondents.

3. It is the case of the petitioner that A.N.R.Dorairaj Pandian died on 05.01.2017 at Apollo Hospital, No.154, Poonamallee High Road, Kilpauk, Chennai 600 010. He was ordinarily residing at No.506, Pillayar Koil Street, Mogappair East, Chennai 600 037. The deceased died leaving various properties situated at Chennai and other places within the State of Tamil Nadu within the territorial jurisdiction of this Court. The petitioner is the grand son of the deceased. The petitioner is entitled to succeed the estate of the deceased. The succession certificate is required for the beneficiary under

the Will having effect throughout the State of Tamil Nadu in the name of petitioner. The assets in respect of which the succession certificate is required are of the value of Rs.2,80,00,000/-. No application for a succession certificate has been made to any District Court or delegate or to any High Court. Hence, the petitioner has approached this Court for grant of succession certificate in his name for the beneficiary under the Will having effect throughout the State of Tamil Nadu in the name of petitioner.

4.The second petitioner examined himself as P.W.1 and marked Exs.P1 to P5 viz.,

Ex.P1 is the original registered Will and Testament dated 28.03.2011 executed by Mr.A.N.R.Durairaj Pandian, which has been attested by two attesting witnesses namely 1. Mr.T.Sudhakar and 2.Mr.S.Murugavelu.

Ex.P2 is the photocopy of the legal heirship certificate dated 03.11.2017 in respect of Mr.A.N.R.Durairaj Pandian.

ExP3 is the computer generated copy of the death certificate of the Testator Mr.A.N.R.Durairaj Pandian who died on 05.01.2017.

Ex.P4 is the affidavit of assets showing the net value of the estate as Rs.2,79,80,000/-

Ex.P5 (series 2 Nos) are the copies of paper publication effected in one issue of Tamil daily “Makkal Kural” dated 01.03.2020 and one issue of English daily “Virtual Times” dated 10.03.2020.

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

6. 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 Mr.A.N.R.Dorairaj Pandian. Therefore, the petition is ordered as prayed for and a direction for grant of Succession Certificate to the petitioner for the beneficiary under the Will having effect throughout the State of Tamil Nadu.

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18.12.2020

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