

O.P.No.429 of 2021**V.PARTHIBAN.,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 petitioners.

2.It is the case of the petitioners that they are the legal heirs of deceased R.Srinivasan. The first petitioner is the elder brother and the second petitioner is younger sister of the deceased. The said R.Srinivasan died on 12.11.2019. Other than the petitioners, there are no other relatives to succeed the estate as Class-I heir. Prior to and at the time of his death, the deceased had his fixed place of residence at Flat No.G1, Abinayam Apts, Old No.48, New No.5, Anna Nagar 2nd Street, Velachery, Chennai - 600 042. He left the schedule mentioned properties and died within the jurisdiction of this Court. The deceased was having a savings bank account and fixed deposits with Lakshmi Vilas bank, in Ambur and savings bank account in Canara Bank, Ambur Branch. On account of the death, the petitioners being his successors, are jointly entitled for the amount lying in Lakshmi Vilas Bank and Canara Bank, Ambur Branch. The deceased died intestate and though due and diligent search has been made for a Will, none has been found. The

<https://www.mhc.tn.gov.in/> Succession certificate is required for the purpose of producing the

same before the Lakshmi vilas Bank, Ambur Branch and Canara Bank, Ambur Branch for the withdrawal of the amount stands in the name of the deceased. The asset in respect of which the succession certificate is required is of the value of Rs.30,98,757/-. No application for a succession certificate in respect of any debt or security belonging to the estate of the said deceased has been made to any District Court or delegate or to any High Court. Hence, the petitioners have approached this Court for grant of succession certificate in their names with power to collect the debts and to receive the interest and dividends on and negotiate and transfer the securities specified in the schedule.

3.The second petitioner examined herself as P.W.1 and marked Exs.P1 to P8.

Ex.P1 is the photocopy of the Doctor certificate dated 31.08.2021.

Ex.P2 is the computer generated death certificate of R.Srinivasan, who died on 12.11.2019.

Ex.P3 is the original certificate dated 17.08.2020 in respect of Srinivasan issued by Zonal Deputy Tahsildar, Ambur Taluk.

Ex.P4 is the original Decree dated 20.08.2003 in F.C.O.P.No.786 of 1999 by the Principal Family Court, Madras.

Ex.P5 are the photocopies of the fixed deposit receipts of

Lakshmi Vilas Bank standing in the name of deceased Srinivasan.

Ex.P6 is the original statement of account of Canara Bank, Ambur Branch-II in respect of Mr.R.Srinivasan.

Ex.P7 is the original statement of account of The Lakshmi Vilas Bank Limited, Ambur in respect of Mr.R.Srinivasan.

Ex.P8 is a copy of paper publication effected in one issue of Tamil daily "Makkal Kural" dated 13.07.2021.

4.Considering the averments made in the petition and the documents filed by the petitioners, this Court satisfied that the petitioners have succeeded the Estate of the deceased R.Srinivasan. Therefore, the petition is ordered as prayed for and a direction for grant of Succession Certificate to the petitioners with power to collect the debts 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.

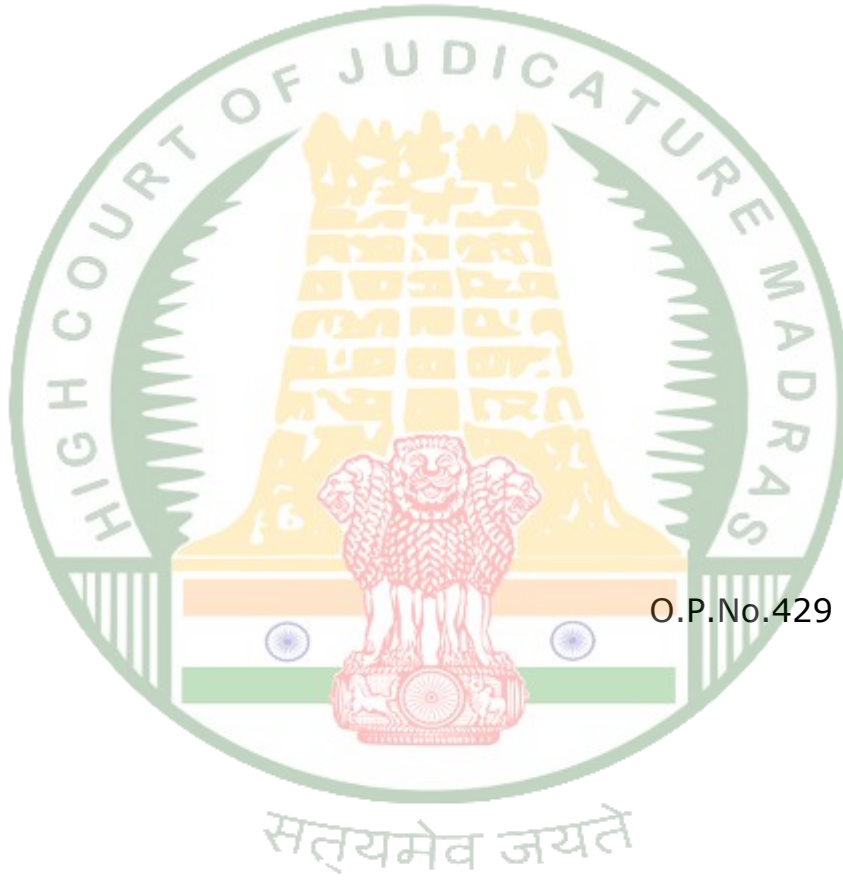
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