



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

FRIDAY, THE 06TH DAY OF AUGUST 2021

THE HON'BLE MR. JUSTICE V.PARTHIBAN

O.P.No.919 of 2019

In the matter of Indian
Succession Act, XXXIX of
1925
and

In the matter of debts of the
Krishna Narayanan Nair died
intestate

1. Mrs.PADMINI SURENDRAN,
D/o.Late Krishna Narayanan Nair
and W/o.Surendran,
No.40, T Block, 8th Street,
Anna Nagar, Chennai-600040.

2.Mr. N.KRISHNAN
S/o.Late Krishna Narayanan Nair
No.40, T Block, 8th Street,
Anna Nagar, Chennai-600040.

3.Mrs.PADMA ARIGA
W/o.Late Vinod
No.40, T Block, 8th Street,
Anna Nagar, Chennai-600040.

4. PRASHANTH VINOD NARAYANAN
S/o.Late Vinod
No.40, T Block, 8th Street,
Annanagar, Chennai-600040.

..Petitioners



WEB COPY Original Petition praying that this Hon'ble Court be pleased to that the Succession Certificate may be granted to the petitioners with power to collect the debts and to receive the interest specified in the Schedule in 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 petitioners.

2. The case of the petitioners is that Mr.Krishna Narayanan Nair resided at No.40, T Block, 8th Street, Anna Nagar, Chennai 600 040 and died on 23.10.2016. The first petitioner is the daughter of the deceased Krishna Narayanan Nair, the second petitioner is the son of deceased, the third petitioner is the daughter-in-law of the deceased and the fourth petitioner is the grandson of the deceased. The wife and parents of the deceased predeceased him. The petitioners are the class – I legal heirs who are entitled to claim a share in the estate of the deceased. There is no next of



kin other than the petitioners interested to be impleaded. The deceased left the property specified in the schedule, is within the jurisdiction of this Court.

3. The deceased died intestate and though due and diligent search has been made for a Will, none has been found. The succession certificate is required for the purpose of claiming the Post Office Savings Account, bearing Account No.1859486939 in Anna Nagar East Post Office, Anna Nagar, Chennai-102. The said assets in respect of which the succession certificate is required, are of the value of Rs.2,37,150/-.

4. No application for a succession certificate in respect of any debt or security belonging to the estate of the said deceased and no application for probate of any will of the said deceased or for letters of administration with or without the Will annexed to their properties and credits, have 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 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.



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5.The first petitioner examined herself as P.W.1 and marked Exs.P1 to P8. Ex.P1 is the computer generated death certificate of Krishna Narayanan Nair, who died on 23.10.2016. Ex.P2 is the photocopy of the Legal Heirship certificate dated 26.02.2018 in respect of Krishna Narayanan Nair. Ex.P3 is the computer generated death certificate of Bhagirathi, who died on 24.08.1998. Ex.P4 is the computer generated death certificate of Dr. Vinod Narayanan, who died on 19.03.2019. Ex.P5 is the computer generated Legal Heirship certificate dated 22.07.2019 in respect of Vinod Narayanan. Ex.P6 is the photocopy of the Post office savings account passbook bearing account No.1859486939 standing in the name of Krishna Narayanan Nair. Ex.P7 is the photocopy of first petitioner's Aadhaar card bearing No.2933 3297 6901. Ex.P8 is a copy of paper publication effected in one issue of Tamil daily "Maalai Sudar" dated 24.02.2020.

6.Considering the averments made in the petition and the documents filed by the petitioners, this Court is of the view that the petitioners have succeeded to the Estate of the deceased Krishna Narayanan Nair. 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.

Sd/.V.P.N.J.
06.08.2021

//Certified to be a true copy//
Dated this the day of 2021.

SU/24.08.2021

COURT OFFICER(O.S.)

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