



O.P. No.986 of 2019

ABDUL QUDDHOSE, J.

This petition has been filed for Succession Certificate.

2. The petitioners are the sons and legal heirs of the deceased N.S.Karuppiah, who died on 28.03.2018 leaving behind certain securities morefully described in the schedule to the petition.

3. Before the learned Master, the first petitioner, who is the elder son of the deceased N.S.Karuppiah was examined as a witness (P.W.1). He has deposed on behalf of the second petitioner also. In his deposition, K.Subramanian (P.W.1) has reiterated the contents of the petition filed in support of O.P. No.986 of 2019. Through P.W.1, the following documents were marked as Exhibits.

<i>Exhibits</i>	<i>Nature of the document</i>
Ex.P-1	Computer generated death certificate of N.S.Karuppiah, who died on 28.03.2018.
Ex.P-2	Photocopy of the Aadhar card of N.S.Karuppiah, bearing No.9219 5578 9793.
Ex.P-3	Computer generated Legal heirship certificate dated 24.04.2018 in respect of N.S.Karuppiah.
Ex.P-4	Photocopy of the first petitioner's Aadhaar card bearing



<i>Exhibits</i>	<i>Nature of the document</i>
	No.4104 2774 9574.
Ex.P-5	Photocopy of the Aadhaar card of K.Manikandan, 2nd petitioner, bearing No.6575 6631 2857.
Ex.P-6	Photocopy of the post office saving bank passbook bearing No.0741294328 standing in the name of N.S.Karuppiyah.
Ex.P-7	Photocopy of the letter dated 16.05.2018 sent to the first petitioner by the Chief Post Master, Chennai GPO.
Ex.P-8	Consent affidavit given by the 2nd petitioner.
Ex.P-9	Copy of paper publication effected in one issue of Tamil daily "Maalai Sudar" dated 31.01.2020.

4. The wife of N.S.Karuppiyah (deceased), viz., K.Chittal has also pre-deceased him, as seen from her death certificate, which has been produced before this Court today by the learned counsel for the petitioner, which reveals that she died on 11.04.2008. The legal heirship certificate of K.Chittal has also been produced, which will reveal that the deceased, N.S.Karuppiyah and the petitioners were her only legal heirs at the time of her death. The aforementioned documents are taken on record by this Court. Since her husband N.S.Karuppiyah died, subsequently on 28.03.2018, the petitioners are the only legal heirs of the deceased N.S.Karuppiyah, who has left behind securities morefully described in the schedule to the petition.

5. As seen from the evidence available on record, it is clear that N.S.Karuppiyah died on 28.03.2018 leaving behind securities morefully



described in the schedule to the petition filed in support of O.P. No.986 of 2019. The death certificate of N.S.Karuppiyah is marked as Ex.P1 and the legal heirship certificate dated 24.04.2018 for N.S.Karuppiyah is marked as Ex.P3 also confirm that the petitioners, who are his children, are his only legal heirs. The second petitioner, who is the brother of the first petitioner has submitted a consent affidavit, which has been marked as Ex.P8 before the learned Master, under which, he has given consent for grant of Succession Certificate in favour of the first petitioner. The details of the securities left behind by the deceased, N.S.Karuppiyah are also proved through Ex.P6. A paper publication has also been effected in one issue Tamil daily viz., "Maalai Sudar" dated 31.01.2020, which has been marked as Ex.P9 with regard to O.P. No.986 of 2019.

6. An averment has also been made in the petition that no application has been made to the District Court or delegate or to any High Court for Probate of any Will of the deceased or Letters of Administration with or without the Will annexed to her properties and credits. No application for Succession Certificate in respect of any debts or security belonging to the estate of the deceased has been made to any District Court or delegate or to any High Court.



available on record, this Court is inclined to grant Succession Certificate in
favour of the first petitioner as prayed for in O.P.No.986 of 2019.

Accordingly, O.P.No.986 of 2019 is allowed.

21.12.2021

srn/ab



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