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C.V.KARTHIKEYAN,J.

The petitioner has filed this petition taking advantage of Section 372 of the Indian Succession Act, 1925 seeking succession certificate with respect to the certificates held jointly by the deceased Vasudev Srinivasan with his sister Sushila Srinivasan Iyengar. It is stated that they both died. Sushila Srinivasan Iyengar died a spinster on 30.12.2016 and Vasudev Srinivasan died on 04.02.2016. The petitioners are the widow and sons of Vasudev Srinivasan and the respondents are the other brothers of Sushila Srinivasan Iyengar, who are her Class II heirs, since she died as spinster. They have not raised any objection for grant of succession certificate and had actually filed consent affidavits.

2. The matter was posted for recording evidence. During evidence, the 1st petitioner was examined as P.W.1. The details of the share certificates were marked as Exs.P.1 to P.7. The death certificate of Vasudev Srinivasan was marked as Ex.P.8 and the legal heir ship certificate was marked as Ex.P.9. The death certificate of the sister Sushila Srinivasan Iyengar was marked as Ex.P.10. The consent affidavit of the two petitioners and the two respondents were marked as Exs.P.14 and P.17.



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3. Heard the learned counsel for the petitioner and also the counsel who entered appearance on behalf of the respondents. In view of the fact that the evidence establishes the facts stated, the petition is allowed. Succession Certificate to be issued in favour of the 1st petitioner.

4. This Original Petition stands allowed.

09.09.2022

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O.P.No.542 of 2021