

**O.P.No. 512 of 2021**

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C.V.KARTHIKEYAN, J.

This Petition has been filed under Section 372 of the Indian Succession Act 1925 seeking Succession Certificate relating to debts of M.Venkatesan, the husband of the first petitioner and the father of the second, third and fourth petitioners.

2. It is stated that M.Venkatesan was working as a driver in the Metropolitan Transport Corporation. He died on 01.01.2020. There was a small error in the legal heirship certificate which had been obtained by the petitioners and produced before the employer for receiving death benefits. The name of the fourth petitioner / one of the sons of M.Venkatesan was omitted in the legal heirship certificate. The employer / Metropolitan Transport Corporation therefore had insisted that a Succession Certificate be obtained. It was under these circumstances that the present Petition has been filed. Necessary paper publication had been effected.

3. During evidence, the second petitioner was examined as PW-1. The identity card of her father was marked as Ex.P-1 and the



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copy of the service register was marked as Ex.P-4. The salary bill of her father was marked as Ex.P-9. The legal heirship was marked as Ex.P-11. The original certificate issued by Metropolitan Transport Corporation Employee's Gratuity Fund Trust was marked as Ex.P-13. Thereafter, in view of the fact that the name of the fourth petitioner had been omitted in the legal heirship certificate, out of abundant caution, the petitioners had also examined him as a witness as PW-2. He also filed his proof affidavit.

4. In view of the evidence produced, I have no hesitation in granting Succession Certificate to the first petitioner with power to collect the debts and to receive the interest as specified in the schedule. The first petitioner is directed to render accounts once in a year. This Original Petition is allowed.

15.09.2022

Index:Yes/No
Internet :Yes/No
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