



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

TUESDAY, THE 21ST DAY OF JUNE 2022

THE HON'BLE MR. JUSTICE KRISHNAN RAMASAMY

O.P.No. 674 of 2021

In the matter of Indian Succession
Act, XXXIX of 1925

and

In the matter of certain debts
belonging to the M.Amirdham –
deceased intestate

M.A.Ganapathy,
Adopted S/o.Late Amirdham,
No.53, Arani Rangan Street,
Old Wahsermanpet,
Chennai-600 021

..Petitioner

This original petition praying that this Hon'ble court be pleased to grant a Succession Certificate in favour of adopted son of Amirdham petitioner herein 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



This Petition has been filed under Section 372 of the Indian Succession Act XXXIX of 1925 read with Order XXV Rule 6 of the Original Side Rules, to grant succession certificate in favour of the petitioner.

2. It is the case of the petitioner that he is the adopted son of the deceased Amirdham, who passed away on 25.06.2018. The further case of the petitioner is that deceased Amirdham was working in Chennai Corporation and that she passed away while she was in service. Further, one Sampath was the husband of Amirdham, however, he deserted her. The said Sampath also passed away on 11.04.2011. Thereafter, the deceased Amirdham adopted the petitioner vide the registered deed of adoption dated 16.08.2016 vide document no.345 of 2016, registered at Sub Registrar's Office, Royapuram. Further, the petitioner has averred that the deceased Amirdham nominated the petitioner's name as nominee in her service books. Therefore, the petitioner is entitled to receive the terminal benefits as the adoptive son of deceased Amirtham. Therefore, he has filed the present petition for grant of succession certificate in his favour, with power to collect the debts and to receive the interest specified in the Schedule.

3.It is further stated that other than the petitioner, there are no other



relatives to succeed to the estate of deceased Amirdham as legal heir.

Further, 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 petitioner has approached this Court for grant of succession certificate in favour of the petitioner with power to collect the debts and to receive the interest specified in the schedule hereunder.

4. In order to prove his case, the petitioner examined himself as P.W.1 and marked the following documents;

(1) Ex.P1 - photocopy of the nomination page of the Service Register of M.Amirdham

(2) Ex.P2 - photocopy of the Order dated 28.02.2006 passed by the Corporation of Chennai.

(3) Ex.P3 - photocopy of the Deed of adoption dated 16.08.2016

(4) Ex.P4 - photocopy of the Pay Bill of M.Amrutham for the month of June - 2018

(5) Ex.P5 - computer generated death certificate of M.Amirdham

(6) Ex.P6 - computer generated death certificate of Sampath

(7) Ex.P7 - copy of paper publication effected in one issue of Tamil



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5.Considering the averments made in the petition and the evidence tendered by PW.1 along with the documents marked as Exs.P1 to P7, particularly the nomination page of the Service Register of M.Amirtham nominating the petitioner as the nominee in her Service Records and the Deed of Adoption dated 16.08.2016, this Court is satisfied that the petitioner has succeeded to the Estate of the deceased. Therefore, the petition is ordered as prayed for and a direction for grant of Succession Certificate to the petitioner with power to collect the debts and to receive the interest specified in the Schedule, is issued.

6.Accordingly, the petitioner is entitled for the relief as prayed for and this Original Petition stands allowed.

Sd/.K.R.J.
21.06.2022

//Certified to be a true copy//

Dated at Madras this the day of 2022.

su.27/06/2022

COURT OFFICER(O.S.)

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