



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

FRIDAY, THE 29TH DAY OF APRIL 2022

THE HON'BLE MR. JUSTICE P.VELMURUGAN

O.P.No.508 of 2021

In the matter of the Indian
Succession Act, 1925
(Act XXXIX of 1925)
and
In the matter of debts of Rishad
Darius Bahadurji
(Deceased) Intestate

1. DARIUS SAROSH BAHADURJI,
S/o.Sarosh Cowasji Bahadurji,

2. TEHNAZ DARIUS BAHADURJI
W/o.Darius Sarosh Bahadurji,

Both the Petitioners are residing at
'Clover' H-49, Anna Nagar East,
Chennai - 600102.

..Petitioners

Original petition praying that this Hon'ble Court be pleased that a
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:



WEB COPY This Original petition has been filed for grant of succession certificate of the deceased Rishad Darius Bahadurji.

2. Rishad Darius Bahadurji died intestate as a bachelor on 30.11.2018 at Chennai. The deceased Rishad Darius Bahadurji died leaving behind his parents as his only legal heirs who are the petitioners herein have filed this petition for grant of succession certificate to the petitioners. The details of the securities for which the Succession Certificate is sought for, are furnished in the schedule to the petition.

3. The second petitioner has deposed as PW1 and filed her proof affidavit, before the learned Master in support of this petition for grant of succession certificate. Before the learned Master, the following documents were marked as Exhibits:

<i>Exhibits</i>	<i>Nature of the documents</i>
P1	Photocopy of the savings bank account passbook of State Bank of India bearing account No.10181353294 standing in the name of the deceased Rishad Darius Bahadurji
P2	Computer generated death certificate of Rishad Darius Bahadurji
P3	Computer generated legal heirship certificate of Rishad Darius Bahadurji
P4	Photocopy of the family card of the first petitioner containing

<i>Exhibits</i>	<i>Nature of the documents</i>
	the name of late Rishad Darius Bahadurji
P5	Copy of paper publication effected in one issue of Tamil daily "Makkal Kural" dated 20.09.2021

4. 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 his 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.

5. This Court has perused and examined the aforementioned documents.

6. Ex.P1 is the photocopy of the savings bank account passbook of State Bank of India bearing account No.10181353294 standing in the name of Rishad D Bahadurji which shows that the deceased was maintaining account in the said bank. Ex.P2 is the death certificate of Rishad Darius Bahadurji which shows that he died on 30.11.2018 at the age of 29 years and Ex.P2 is the death certificate of Rishad Darius Bahadurji which shows that the petitioners who are the parents of the deceased are the only legal



heirs of the deceased Rishad Darius Bahadurji as per section 55 of the Indian Succession Act. Ex.P4 is the family of the first petitioner. Paper publication has also been effected by the petitioners in one issue of Tamil daily “Makkal Kural” on 20.09.2021 which has been marked as Ex.P5.

7. After giving due consideration to the averments contained in the petition as well as the Exhibits marked on the side of the petitioners, this Court is of the considered view that the relief of succession certificate sought for by the petitioners in OP No.508 of 2021 has to be granted in favour of the petitioners. Accordingly, the Original Petition is allowed. The petitioners are directed to pay the requisite succession duty, if any, before obtaining the Succession Certificate.

Sd/.P.V.J.
29.04.2022

//Certified to be a true copy//

Dated at Madras this the day of 2022.

SU/10.05.2022

COURT OFFICER(O.S.)

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