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IN THE HIGH COURT OF JUDICATURE AT MADRAS

RESERVED ON : 09.03.2022

PRONOUNCED ON : 17.03.2022

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

O.P.No.644 of 2018

ORDER

This Original petition has been filed by the petitioner who is one of the legal heirs of the deceased N.Ranganathan who died interstate on 30.12.2017 for grant of succession certificate.

2. The petitioner is the son of the deceased N.Ranganathan. The first respondent is the daughter and the second respondent is the younger brother of the deceased N.Ranganathan. As the deceased N.Ranganathan died intestate, the petitioner who is the legal heir of the deceased N.Ranganathan has filed this petition for grant of succession certificate. The details of the securities for which the Succession Certificate is sought for, are furnished in the schedule to the petition and its value is Rs.3,00,000/-, according to the petitioner.

3. The petitioner who is the son of the deceased N.Ranganathan, has

<https://hcservices.ecourts.gov.in/hcservices> deposited as PW1 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	The computer generated death certificate of Amirthavalli
P2	The photocopy of the death certificate of Vanaja Ranganathan
P3	The original death certificate of Ranganathan
P4	The photocopy of the Legal Heirship certificate in respect of N.Amirthavalli
P5	The original Legal Heirship certificate dated 16.06.2017 in respect of Ranganathan
P6	(Series 3 Nos.) are the photocopies of the bonds issued under the scheme “Kisan Vikas Patra”

4. An averment has also been made in the petition that no application has been made to any District Court or delegate or to any other High Court for the probate of any Will of the said deceased or Letters of Administration with or without the Will annexed of the property and credits.

5. This Court has perused and examined the aforementioned documents. The petitioner was examined as P.W.1 by filing proof affidavit and 6 documents were marked as Ex.P1 to Ex.P6. As seen from the original death certificate marked as Ex.P3, N.Ranganathan died on 30.12.2014 and as seen from the original Legal Heirship certificate, marked as Ex.P5 shows that the petitioner and the 1st respondent are the legal heirs of the deceased N.Ranganathan. Ex.P4, the legal heirship certificate of Amirthavalli who is



the paternal grandmother of the petitioner, shows that N.Ranganathan, the father of the petitioner and the second respondent are her legal heirs. Photocopies of the bonds issued under the scheme “Kisan Vikas Patra” marked as Ex.P6 shows that the said bonds are standing in the name of the deceased N.Ranganathan and Amirthavalli.

6. Under the bond viz., “Kisan Vikas Patra”, Vanaja Ranganathan who is the wife of N.Ranganathan was appointed as nominee of the deceased and the said Vanaja Ranganathan predeceased N.Ranganathan on 22.06.2013 and hence, the said nomination had become redundant. Therefore, the petitioner and the respondents who are the legal heirs of the deceased N.Ranganathan and Amirthavalli, are entitled to get succession certificate.

7. After giving due consideration to the averments contained in the petition as well as the Exhibits marked on the side of the petitioner, this Court is of the considered view that the deceased N.Ranganathan died leaving behind the petitioner and the respondents who are his only legal heirs and as per the document Ex.P6, the deceased N.Ranganathan and Amirthavalli have jointly owned the Kisan Vikas Patra. Therefore, the relief of succession certificate sought for by the petitioner in OP No.644 of 2018



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8. Registry is directed to issue succession certificate if the succession duty already paid or otherwise registry is directed to recover the succession duty for issuance of succession certificate.

Sd/.P.V.J.
17.03.2022

//Certified to be a true copy//

Dated at Madras this the day of 2022.

Su/28.3.2022

COURT OFFICER(O.S.)

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