



O.P.No.185 of 2022

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KRISHNAN RAMASAMY.J.,

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

2. It is the case of the petitioners that the deceased Lad Devi, wife of the first petitioner died intestate on 10.07.2020. The petitioners 2, 3 & 5 are the sons and the petitioners 4, 6 & 7 are the daughters of the deceased Lad Devi. The parents of the said deceased had predeceased her. The said deceased during her lifetime was holding the securities and mutual funds mentioned in the schedule and the succession certificate is required for the purpose of transmission of those securities and debts. It is the further case of the petitioners that they are the Class – I legal heirs of the deceased Lad Devi and they are entitled to an equal 1/7th share of the estate of the said deceased. The assets in respect of which the Succession Certificate is required are for the value of Rs.54,61,983.51.

3. It is further stated that the deceased Lad Devi died intestate and that due and diligent search has been made for a Will but there is no Will left by the said deceased. Further, no application for a succession certificate in respect of any



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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. Therefore, the petitioners have filed the present petition for grant of succession certificate in favour of the first petitioner with power to collect the debts and securities and to receive the interest dividends on and negotiate and transfer securities specified in the schedule.

4. In order to prove their case, the third petitioner examined himself as P.W.1 and marked Exs.P1 to P16. Ex.P1 is the computer generated death certificate of Lad Devi. Ex.P2 is the computer generated Legal Heirship certificate of Lad Devi. Ex.P3 is the original statement of holding as on 26.06.2021 issued by HDFC Bank standing in the name of Lad Devi. Ex.P4 is the photocopy of the allotment advice of Unit Trust of India dated 12.12.1992 standing in the name of Lad Devi. Ex.P5 is the original statement of unit holding given by HDFC Bank held by Lad Devi. Ex.P6 is the original fixed deposit summary issued by HDFC Bank standing in the name of Lad Devi. Ex.P7 is the computer generated account statement of Bank of Baroda in respect of the account held by Lad Devi bearing account No.05300100001662. Ex.P8 is the original account statement of State Bank of India in respect of the account held by Lad Devi bearing account No.00000010079669737. Ex.P9 is the original account statement of HDFC Bank in respect of the account held by Lad Devi



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bearing account No.00821000140448. Ex.P10 is the consent affidavit given by the 2nd petitioner. Ex.P11 is the consent affidavit the third petitioner. Ex.P12 is the consent affidavit given by the 4th petitioner. Ex.P13 is the consent affidavit given by the 5th petitioner. Ex.P14 is the consent affidavit given by the 6th petitioner. Ex.P15 is the consent affidavit given by the 7th petitioner. Ex.P16 is the copy of paper publication effected in one issue of Tamil daily 'Makkal Kural' dated 21.07.2022.

5. Considering the averments made in the petition and the evidence tendered by PW.1 along with his documents marked as Exs.P1 to P16, this Court is satisfied that the petitioners have succeeded the Estate of the deceased Lad Devi. Therefore, the petition is ordered as prayed for and a direction for grant of Succession Certificate to the first petitioner with power to collect the debts and securities and to receive the interest dividends on and negotiate and transfer securities standing in the name of the deceased Lad Devi as specified in the schedule, is issued.

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

02.09.2022

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