



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

WEDNESDAY, THE 13TH DAY OF APRIL 2022

THE HON'BLE MR. JUSTICE P.VELMURUGAN

O.P.No.634 of 2021

In the matter of the Indian
Succession Act XXXIX of 1925

and

In the matter of the Debts of
the deceased intestate R.Girija

1. Mr.V.Murali,
S/o.Govindan Vyasaraao,
1375C., 19th Street, Poompugar Nagar,
Kolathur, Chennai-600 099

2. Mr.M.Sabharish
S/o.V.Murali
A-903, Gopalan Atlantis,
ECC Road, near Deens Academy,
Whitefield, Bangalore North,
Bengaluru-560 066

..Petitioners

Original Petition praying that this Hon'ble Court be pleased that a Succession Certificate may be granted to the 1st Petitioner 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 Original petition has been filed for grant of succession certificate of the deceased R.Girija who died intestate on 09.07.2015 at Chennai.

2. The petitioners 1 & 2 are the husband and son of the deceased R.Girija. The petitioners who are the only legal heirs of the deceased have filed this petition for grant of succession certificate to the first petitioner. 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.14,29,262/-, according to the petitioners.

3. The first petitioner has deposed as PW1 and filed his 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	Computer generated death certificate of R.Girija
P2	Computer generated legal heirship certificate dated 03.03.2021 in respect of R.Girija
P3	Original statement of account for the period from 02.02.2020 to 22.06.2021 in respect of the account No.57001946250, maintained by R.Girija issued by the State Bank of India,P.H. Road Branch
P4	Photocopy of the first petitioner's Aadhaar Card
P5	Photocopy of the first petitioner's PAN Card
P6	Photocopy of the second petitioner's Aadhaar Card



<i>Exhibits</i>	<i>Nature of the documents</i>
P7	Photocopy of the second petitioner's PAN Card
P8	Consent affidavit given by the second petitioner.
P9	Copy of paper publication effected in one issue of Tamil daily "Makkal Kural" dated 15.12.2021

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. The death certificate of R.Girija has been marked as Ex.P1. The legal heirship certificate of R.Girija dated 03.03.2021 has been marked as Ex.P2 which shows that the petitioners herein are the only legal heirs of the deceased. Ex.P3 is the Original statement of account for the period from 02.02.2020 to 22.06.2021 in respect of the account No.57001946250, maintained by R.Girija issued by the State Bank of India, P.H. Road Branch which shows that at the time of her death, the deceased is having a sum of



certificate for release of funds, the petitioner has filed this petition for grant of succession certificate. Ex.P4 to Ex.P7 are the Aadhaar cards and PAN cards of the petitioners. Ex.P8 is the consent affidavit given by the second petitioner for grant of succession certificate in favour of his father, the first petitioner herein. Paper publication has also been effected by the petitioners in one issue of Tamil daily “Makkal Kural” on 15.12.2021 which has been marked as Ex.P9.

6. 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.634 of 2021 has to be granted in favour of the first petitioner. 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.
13.04.2022

//Certified to be a true copy//

Dated at Madras this the day of 2022.

SU/29.04.2022

COURT OFFICER(O.S.)