

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

FRIDAY, THE 21ST DAY OF JANUARY 2022

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

O.P.No.583 of 2021

In the matter of the Indian
Succession Act, 1925

and

In the matter of debts of T.V.Gopal
(Deceased) Intestate

G.SHANBAGAM
W/o.Late Mr.T.V.Gopal,
2/1, Old No.28, New No.55,
Karpagam Appartments,
I Main Road, R.A.Puram,
Chennai - 600 028.

..Petitioner

Original Petition praying that this Hon'ble Court be pleased to grant
Succession Certificate to the Petitioner with power to collect the debts and
to receive the interest if any 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:

This Petition has been filed under Section 372 of the Indian
Succession Act read with Order XXV Rule 6 of the Madras High Court

Original Side Rules, to grant succession certificate in respect of the securities mentioned in the schedule to the petition which were left behind by the deceased T.V.Gopal.

2. Heard Mr.R. Ananth for M/s.King & Patridge, learned counsel for the petitioner.

3. The petitioner is the wife of the deceased T.V.Gopal, who died on 04.08.2020, leaving behind the petitioner as his only legal heir. He has left behind the securities morefully described in the schedule to the petition in support of O.PNo.583 of 2021 and since the Bank has insisted for a Succession Certificate, the petitioner has approached this Court.

4. Before the learned Master, the petitioner Mrs.G.Shanbagam, who is the wife of the deceased T.V.Gopal, was examined as a witness P.W.1 and the following documents were marked as Exhibits on the side of the petitioner. In her deposition, she has reiterated the contents of the petition filed seeking for succession certificate in O.P.No.583 of 2021. Through, P.W.1, the following documents were marked as exhibits:-

<i>Exhibits</i>	<i>Nature of the document</i>
Ex.P-1	Photocopy of Aadhaar card of Mrs.G.Shanbagam bearing No.5610 9137 2592
Ex.P-2	Photocopy of Pan Card of Mrs.G.Shanbagam bearing No.BGBPS4663P
Ex.P-3	Computer generated death certificate of T.V.Gopal, who died on 04.08.2020.
Ex.P-4	Computer generated Legal Heirship certificate dated 07.09.2020 in respect of T.V.Gopal
Ex.P-5	Photocopy of the SBI bank passbook bearing the account No.37911709984 standing in the name of T.V.Gopal.
Ex.P-6	Photocopy of the SBI bank passbook bearing account No.36992538022standing in the name of T.V.Gopal.
Ex.P.7	Photocopy of the SBI bank passbook bearing account No.37028450626 standing in the name of T.V.Gopal.
Ex.P.8	Photocopy of the SBI Bank passbook bearing account No.37080495063 standing in the name of T.V.Gopa.
Ex.P.9	Copy of paper publication effected in one issue of Tamil Daily “ Makkal Kural” dated 10.12.2021.

5. As seen from the evidence available on record, the deceased T.V.Gopal died on 04.08.2020 as seen from his death certificate, which has been marked as Ex.P.3. The legalheirship certificate dated 07.09.2020 for T.V.Gopal also confirms that his wife viz., Mrs.G.Shanbagam, the petitioner herein is the only legal heir. The petitioner and the deceased T.V.Gopal do not have any issues out of their wedlock. The details of the securities, for which, the Succession Certificate is sought for, are also proved through Exs.P.5 to P.9. Paper Publication has also been effected by the petitioner in one issue of Tamil Daily “Makkal Kural” dated 10.12.2021, which has been marked as Ex.P.9.

6. After giving due consideration to the evidence available on record and after perusing the affidavit filed in support of the petition, this Court is inclined to grant Succession Certificate in favour of the petitioner and a direction for grant of Succession Certificate to the petitioner/Mrs.G.Shanbagam with power to collect the debts with accrued interest and securities, receive the dividends thereon and negotiate and transfer the securities specified in the schedule, is issued. The petitioner is directed to render account once in a year.

7. Accordingly, this Original Petition is allowed as prayed for.

Sd/.A.Q.J.
21.01.2022

//Certified to be a true copy//

Dated at Madras this the day of 2022.

SU./25.01.2022

COURT OFFICER(O.S.)

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