

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

TUESDAY, THE 05TH DAY OF JULY 2022

THE HON'BLE MR. JUSTICE KRISHNAN RAMASAMY

O.P. No. 623 of 2019

In the matter of Indian Succession
Act, XXXIX, 1925

and

In the matter of Debts of
S.Ravichandran (Intestate -Deceased)

SIVAKAMI SANTHANAM,
W/o.Santhanam
New No.9, Old No.7,
Gopalakrishnan Road,
Thiyagaraya Nagar,
Chennai-600017.

..Petitioner

-Vs-

S.R.PRAVEEN
5/3, Sundaram Lane,
Puraswalkam, Vepery,
Chennai-600007
Tamil Nadu

..Respondent

This original petition praying that this Hon'ble Court be pleased that a Succession certificate may be granted to the petitioner, with power to collect the Debts and to receive the interests thereon, 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 favour of the petitioner.

2.It is the case of the petitioner that the deceased S.Ravichandran is her son and the respondent herein is the grandson of the petitioner i.e., the son of the deceased S.Ravichandran and they are the only Class – I legal heirs of deceased S.Ravichandran, who died intestate on 02.06.2018. However, the petitioner is entitled to receive family pension on account of the demise of his deceased son S.Ravichandran, however, the respondent is not eligible for a share in the said family pension as he is married and aged about 30 years. It is also stated that the respondent has no objection in granting succession certificate in favour of the petitioner. The petitioner is filing this petition for grant of Succession Certificate in favour of her. The total amount of the assets value will be for a sum of Rs.44,705/-.

3. It is further stated that the other than the petitioner and respondent,

there are no other relatives to succeed the estate as legal heirs. Therefore, the petitioner and the respondent are entitled for share in the estate of the said deceased S.Ravichandran.

4.No application for a succession certificate in respect of any 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. Hence, the petitioner has approached this Court for grant of succession certificate in favour of her with power to collect securities and to receive interest, dividends thereon and negotiate and transfer the securities specified in the petition schedules.

5. In order to prove her case, Mrs,Sivakami Santhanam, the petitioner herein, is examined as PW.1 and marked Exs.P1 to P4. Ex.P1 is the computer generated death certificate of S.Ravichandran. Ex.P2 is the computer generated Legal Heirship certificate in respect of S.Ravichandran. Ex.P3 is the letter dated 11.12.2018 from M/s.Nuclear Power Corporation of India Limited-P.P.O No.462959900620 regarding the family pension of S.Ravichandran. Ex.P4 is the copy of paper publication effected in one issue of Tamil daily “Maalai Sudar” dated 23.11.2019. Despite the paper publication also, none has appeared and raised their objections.

6. Considering the averments made in the petition and the evidence tendered by PW.1 along with the documents marked as Exs.P1 to P4, this Court is satisfied that the petitioner is succeeded for the Estate of the deceased S.Ravichandran. Therefore, the petition is ordered as prayed for and a direction for grant of Succession Certificate to the petitioner with power to collect the debts and to receive the interest and dividends on and negotiate and transfer the securities specified in the schedule, is issued.

7. Accordingly, the petitioner is entitled for the relief as prayed for by the petitioner and this Original Petition stands allowed.

Sd/.K.R.J.
05.07.2022

//Certified to be a true copy//

Dated at Madras this the day of 2022.

SU/12.07.2022

COURT OFFICER(O.S.)

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