



O.P.No.803 of 2021

O.P.No.803 of 2021

WEB COPY

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 petitioners are the wife and sons of the deceased B.Krishnakumar, who died intestate on 20.07.2021 and are petitioners the only surviving legal heirs of the said deceased. Therefore, the petitioners are entitled for 1/3rd share each in the estate of the said deceased. The assets in respect of which the Succession Certificate is required are for the value of Rs.21,44,876.95.

3. It is stated that the petitioners are entitled to receive equal share of the above said benefits. It is further stated that the 2nd and 3rd petitioners/sons have given their consent affidavits for granting succession certificate in favour of their mother/1st petitioner. Further, 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



O.P.No.803 of 2021

WEB COPY

Delegate or to any High Court. Therefore, the petitioners have filed the present petition for grant of succession certificate in favour of Sujatha Kumar, the 1st petitioner herein, with the power to collect the securities and to receive the interests and dividends thereon and negotiate and transfer the securities specified in the schedule.

4. In order to prove their case, the first petitioner examined herself as P.W.1 and marked Exs.P1 to P5. Ex.P1 is the computer generated death certificate of B.Krishnakumar. Ex.P2 is the computer generated legal heirship certificate of B.Krishnakumar. Ex.P3 is the consent affidavit given by the 2nd petitioner. Ex.P4 is the consent affidavit given by the 3rd petitioner. Ex.P5 is the copy of paper publication effected in one issue of Tamil daily 'Makkal Kural' dated 16.03.2022.

5. Considering the averments made in the petition and the evidence tendered by PW.1 along with her documents marked as Exs.P1 to P5, this Court is satisfied that the petitioners have succeeded the Estate of the deceased B.Krishnakumar. Therefore, the petition is ordered as prayed for and a direction for grant of Succession Certificate to the first petitioner



O.P.No.803 of 2021

WEB COPY

with the power to collect the securities and to receive the interests and dividends standing in the name of the deceased B.Krishnakumar and negotiate and transfer the securities 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

Sni



WEB COPY



O.P.No.803 of 2021

KRISHNAN RAMASAMY.J.,

Sni

O.P.No.803 of 2021

02.09.2022