

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

MONDAY, THE 06TH DAY OF JUNE 2022

THE HON'BLE MR. JUSTICE KRISHNAN RAMASAMY

O.P.No.829 of 2021

In the matter of Indian Succession
Act, XXXIX of 1925
and
In the matter of Debts of A.Rajan
Deceased - Intestate

A.VISALAKSHI
W/o.K.Natarajan,
No.63/25, Rangarajapuram Main Road,
Kodambakkam,
Chennai - 600 024.

..Petitioner

This 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 interest 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 her brother A.Rajan died intestate on 25.05.2021 in Rajiv Gandhi Hospital, Chennai-3, leaving behind no issues and his wife and parents were pre-deceased him. The petitioner, being the sister and nominee, is the only legal heir, entitled to succeed the estate of the deceased A.Rajan. 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 the petitioner with power to collect debts and to receive interest specified in the petition schedule.

3. In order to prove her case, the petitioner Mrs.A.Visalakshi is examined as PW.1 and marked Exs.P1 to P7. Ex.P1 is the photocopy of the Voter Identity card of Rajan. Ex.P2 is the photocopy of the Aadhaar card of A.Rajan. Ex.P3 is the photocopy of the fixed deposit receipt dated 01.10.2019. Ex.P4 is the computer generated death certificate of A.Rajan.

Ex.P5 is the photocopy of my Aadhaar card. Ex.P6 is the photocopy of the front page of Indian Bank savings account passbook bearing account No.6076064859 standing in the joint names of A.Rajan and A.Visalakshi and Ex.P7 is a copy of paper publication effected in one issue of Tamil daily “Maalai Murasu” dated 04.03.2022.

4. Considering the averments made in the petition and the evidence tendered by PW.1 along the documents marked as Exs.P1 to P7, this Court is satisfied that the petitioner has succeeded the Estate of the deceased A.Rajan. 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 specified in the petition schedule, is issued.

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

Sd/.K.R.J.
06.06.2022

//Certified to be a true copy//

Dated at Madras this the day of 2022.

SU/16.06.2022

COURT OFFICER(O.S.)

From 25.09.2008 the Registry is issuing certified copies of the Orders/Judgments/Decrees in this format.