



O.P.No.773 of 2021

O.P.No.773 of 2021

WEB COPY P.VELMURUGAN, J.

This Original petition has been filed for grant of succession certificate by the legal heirs of the deceased C.Kothandan who died on 12.09.2017 at Chennai.

2. The first petitioner is the wife and the petitioners 2 to 4 are the children of the deceased C.Kothandan. As C.Kothandan died intestate, the petitioners who are the only legal heirs of the deceased have filed this petition for grant of Succession Certificate in their favour. 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.39,09,380/-, according to the petitioners.

3. The fourth petitioner who is the one of the sons of the deceased C.Kothandan 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.



O.P.No.773 of 2021

<i>Exhibits</i>	<i>Nature of the documents</i>
P1	Computer generated death certificate of C.Kothandan
P2	Computer generated Legal Heirship certificate of C.Kothandan
P3	Computer generated statement of account and details dated 01.10.2019 issued by City Bank in respect of the savings bank account bearing account No.5342593447 and also in respect of demat account bearing account No.10149122 held by C.Kothandan
P4	Computer generated statement of holding as on 30.05.2016 issued by the Royal Bank of Scotland N.V. in respect of demat account held by C.Kothandan in client ID No.10084883
P5	Copy of paper publication effected in one issue of Tamil daily "Makkal Kural" dated 21.02.2022

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. As seen from the death certificate of C.Kothandan marked as



O.P.No.773 of 2021

Ex.P1, C.Kothandan died on 12.09.2017 and he was aged 89 years at the time of his death. As seen from the Legal Heirship certificate, dated 31.05.2019 marked as Ex.P2, the petitioners are the only Legal Heirs for the deceased C.Kothandan. Ex.P3 is the statement of account and details dated 01.10.2019 issued by Citi Bank in respect of the savings bank account bearing account No.5342593447 and also in respect of demat account bearing account No.10149122 held by C.Kothandan and Ex.P4 is the statement of holding as on 30.05.2016 issued by the Royal Bank of Scotland N.V. in respect of demat account held by C.Kothandan in client ID No.10084883. Paper publication has also been effected by the petitioners in one issue of Tamil daily “Makkal Kural” on 21.02.2022 which has been marked as Ex.P5.

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.773 of 2021 has to be granted in favour of the petitioners. Accordingly, the Original Petition is allowed. The



O.P.No.773 of 2021

petitioners are directed to pay the requisite succession duty, if any, before
obtaining the Succession Certificate.

17.03.2022

nl



WEB COPY



O.P.No.773 of 2021

P.VELMURUGAN, J

nl

O.P. No.773 of 2021

17.03.2022