



O.P.No.134 of 2022

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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 petitioners.

2. It is the case of the petitioners that the petitioners are the husband and sons of the deceased Kala, who was employed as Sweeper, DN-73, Zone-VI, under the Chennai Corporation and died on 21.07.2021 leaving behind her surviving legal heirs, the petitioners herein. The deceased Kala was first married to one Selvaraj and out of their wedlock, three children were born namely the petitioners 2 to 4 and thereafter, the said Selvaraj died on 24.02.1984. The deceased Kala married again with A.Kuppusamy, the first petitioner and out of their wedlock, two children were born namely the petitioners 5 & 6. The parents of the deceased Kala predeceased her. It is the further case of the petitioners that they are the Class – I legal heirs of the deceased Kala and they are entitled to claim equal share for the terminal death benefits and also in Saving Banks Account in Canara Bank, Indian Bank and Indian Overseas Bank. The assets in respect of which the Succession Certificate is required are for the value of Rs.15,67,523.13.



3. It is further stated that the deceased Kala died intestate and that due and diligent search has been made for a Will and there is no Will left by the said deceased. Further, no application for a succession certificate in respect of any debts or securities belonging to the estate of the said deceased has been made to any District Court or Delegate or to any High Court. Therefore, the petitioners have filed the present petition for grant of succession certificate in favour of the petitioners with power to collect the debts and to receive the interest specified in the schedule.

4. In order to prove their case, the first petitioner examined himself as P.W.1 and marked Exs.P1 to P23. Ex.P1 is the photocopy of Marriage Invitation between him and M.Kala dated 22.01.1986. Ex.P2 is the photocopy of the Family Card of Kala. Ex.P3 is the original family photograph along with compact disc. Ex.P4 is the photocopy of the Transfer Certificate of S.Uma Pathy dated 21.03.1995. Ex.P5 is the photocopy of the Transfer Certificate of S.Senthil Kumar dated 01.02.1999. Ex.P6 is the photocopy of the Transfer Certificate of S.Kesavan dated 09.03.2000. Ex.P7 is the photocopy of the Transfer Certificate of K.Balaji dated 24.03.2004. Ex.P8 is the photocopy of the Transfer Certificate of Kugan dated 29.03.2007. Ex.P9 is the photocopy of the PAN card of Kala. Ex.P10 is the photocopy of the Aadhaar card of Kala.



Ex.P11 is the photocopy of the first petitioner's Aadhaar card. Ex.P12 is the photocopy of the Aadhaar card of S.Umapathy. Ex.P13 is the photocopy of the Aadhaar card of Senthilkumar. Ex.P14 is the photocopy of the Aadhaar card of Balaji. Ex.P15 is the photocopy of the Aadhaar card of Kugan. Ex.P16 is the photocopy of the marriage certificate dated 26.02.2020 of the first petitioner. Ex.P17 is the computer generated death certificate of K.Kala. Ex.P18 is the photocopy of the front page of bank passbook bearing account No.0976101021752 issued by Canara Bank, Chennai – 12 standing in the name of K.Kala. Ex.P19 is the photocopy of the front page of bank passbook bearing account No.440692771 issued by Indian Bank standing in the name of K.Kala. Ex.P20 is the photocopy of the front page of bank passbook bearing account No.024501000016501 issued by Indian Overseas Bank standing in the name of Kala. Ex.P21 is the photocopy of the Aadhaar card of K.Kesavan. Ex.P22 is the original letter dated 07.03.2022 issued by Assistant Executive Engineer, Unit-17, Zone-6, Greater Chennai Corporation addressed to the first petitioner. Ex.P23 is the copy of paper publication effected in one issue of Tamil daily 'Makkal Kural' dated 21.06.2022.

5. Considering the averments made in the petition and the evidence tendered by PW.1 along with his documents marked as Exs.P1 to P23, this



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Court is satisfied that the petitioners have succeeded the Estate of the deceased Kala. Therefore, the petition is ordered as prayed for and a direction for grant of Succession Certificate to the petitioners with power to collect the debts and to receive the interest standing in the name of the deceased Kala 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

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