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

THURSDAY, THE 21ST DAY OF APRIL 2022

THE HON'BLE MR. JUSTICE P.VELMURUGAN

O.P.No.985 of 2019

In the matter of Indian Succession
Act XXXIX of 1925

and

In the matter of the certain debts
belonging to Late C.M.Sasikala –
deceased Intestate

1. C.M.KUMAR
S/O.MUTHUGOPURATHINAM,
90-A, RANGARAJAN MIDDLE STREET,
THENGAL KARAI,
SALIGRAMAM,
CHENNAI-600 093

2. C.M.MOHAN
S/O.MUTHUGOPURATHINAM,
14/B56, 11TH STREET,
ANNA NAGAR EAST,
CHENNAI-600 012

3. C.M.VIJAYAKUMAR
S/O.MUTHUGOPURATHINAM,
NO.1, VEL NAGAR, 2ND STREET,
EB COLONY, ADAMBAKKAM,
CHENNAI-600 088,
KANCHEEPURAM

4. C.M.MAHESWARI
NO.31/15, KUMARAPPA STREET,
VALLALAR NAGAR,
CHENNAI-600 001



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Original petition praying that this Hon'ble Court be pleased that a Succession Certificate may be granted to the petitioners with the Power to collect the debts and to receive the 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 Original petition has been filed for grant of succession certificate of the deceased C.M.Sasikala

2. C.M.Sasikala died as a spinster on 27.05.2010 at Chennai. The mother and father of the deceased C.M.Sasikala predeceased her. The deceased C.M.Sasikala died leaving behind her three brothers and a sister as her only legal heirs who are the petitioners herein have filed this petition for grant of succession certificate to the petitioners. The details of the securities for which the Succession Certificate is sought for, are furnished in the schedule to the petition.

3. The third petitioner 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:

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<i>Exhibits</i>	<i>Nature of the documents</i>
P1	Computer generated death certificate of Suguna Bai
P2	Computer generated death certificate of C.M.Muthugopurathinam
P3	Computer generated death certificate of C.M.Sasikala
P4	Photocopy of the letter dated 27.07.2010 issued by Tahsildar, Tondiarpet addressed to the first petitioner
P5	Photocopy of the legal heirship certificate of C.M.Muthugopurathinam
P6	Original Savings bank account in the Tamil Nadu State Apex Co-operative Bank Limited, Mint Branch bearing account No.15177 standing in the name of C.M.Sasikala
P7	Original cash certificate deposit in the Tamil Nadu State Apex Co-operative Bank Limited, bearing account No.991232947 standing in the name of C.M.Sasikala
P8	Original Cash certificate deposit in the Tamil Nadu State Apex Co-operative Bank Limited bearing account No.991232870 standing in the name of C.M.Sasikala
P9	Original cash certificate deposit in the Tamil Nadu State Apex Co-operative Bank Limited, bearing account No.991231999 standing in the name of C.M.Sasikala
P10	Original term deposit receipt bearing account No.10886141176 in State Bank of India, Rajaji Salai Branch standing in the name of C.M.Sasikala
P11	Original Savings Bank account passbook bearing account No.10186518991 in State Bank of India, Vallalar Nagar Branch standing in the name of C.M.Sasikala
P12	Copy of paper publication effected in one issue of Tamil daily "Makkal Kural" dated 02.12.2021

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

<https://hcservices.ecoipr.org/audit/hcservices/> 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.

6. Ex.P1 and Ex.P2 are the death certificate of Suguna Bai and C.M.Muthugopurathinam respectively which shows that the mother and father of the deceased C.M.Sasikala predeceased her. Ex.P3 is the death certificate of C.M.Sasikala. Ex.P4 is the letter dated 27.07.2010 issued by Tahsildar, Tondiarpet Taluk advising the first petitioner to obtain succession certificate wherein it is stated that the deceased C.M.Sasikala died as a spinster. Ex.P5 is the legal heirship certificate of the father of the deceased C.M.Sasikala. Ex.P6 to Ex.P11 are the passbooks and cash certificates issued by the Tamil Nadu State Apex Co-operative Bank Limited and State Bank of India standing in the name of the deceased C.M.Sasikala which shows that the deceased was having balance in the said banks. Paper publication has also been effected by the petitioners in one



as Ex.P12.

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7. 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.985 of 2019 has to be granted in favour of the petitioners. Accordingly, the Original Petition is allowed. The petitioners are directed to pay the requisite succession duty, if any, before obtaining the Succession Certificate.

Sd/.P.V.J.
21.04.2022

//Certified to be a true copy//

Dated at Madras this the day of 2022.

SU/06.05.2022

COURT OFFICER(O.S.)

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