



O.P.No.800 of 2021

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KRISHNAN RAMASAMY.J.,

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 2nd petitioner.

2.It is the case of the petitioners that first petitioner is the wife of the deceased V.Kalyanaraman and the petitioners 2 & 3 are the children of the said deceased V.Kalyanaraman and they are the only Class – I legal heirs of deceased V.Kalyanaraman, who died intestate on 04.06.2021. During his life time, the deceased invested in shares, and the Succession Certificate is required for the purpose of transmission of the shares in the name of the deceased V.Kalyanaraman. The petitioners are filing this petition for grant of Succession Certificate in favour of the second petitioner. The total amount of the assets value will be for a sum of Rs.24,03,000/-.

3.It is further stated that other than the petitioners, there are no other



relatives to succeed the estate as legal heirs. Therefore, the petitioners are entitled for share in the estate of the said deceased V.Kalyanaraman.

4.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 petitioners have approached this Court for grant of succession certificate in favour of the second petitioner with power to collect securities and to receive interest, dividends thereon and negotiate and transfer the securities specified in the petition schedules.

5.In order to prove their case, Mrs.Jayanthi Hari, the second petitioner herein, is examined as PW.1 and marked Exs.P1 to P5. Ex.P1 is the computer generated death certificate of V.Kalyanaraman. Ex.P2 is a copy of paper publication effected in one issue of Tamil daily “Makkal Kural” dated 16.03.2022. Ex.P3 is the consent affidavit given by the first petitioner. Ex.P4 is the consent affidavit given by the third petitioner. Ex.P5 is the computer generated Legal Heirship certificate of V.Kalyanaraman. Despite



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the paper publication also, none has appeared and raised their objections.

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6.Considering the averments made in the petition and the evidence tendered by PW.1 along with the documents marked as Exs.P1 to P5, this Court is satisfied that the petitioners have succeeded for the Estate of the deceased V.Kalyanaraman. Therefore, the petition is ordered as prayed for and a direction for grant of Succession Certificate to the second petitioner with power to collect the debts and to receive the interest and dividends on and negotiate and transfer the securities specified in the schedule, is issued.

7.Accordingly, the second petitioner is entitled for the relief as prayed for by the petitioners and this Original Petition stands allowed.

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