



O.P.No.103 of 2022

C.V.KARTHIKEYAN,J.

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The Original Petition filed under Section 372 of the Indian Succession Act, 1925, Seeking Succession Certificate relating to the debts in the name of A.M.Gopalan, husband of the petitioner and also in the name of G.Sujatha, the daughter of the petitioner.

2. The respondent is the son of the petitioner.

3. A.M.Gopalan died intestate on 18.07.2004. G.Sujatha died intestate on 17.03.2006.

4. The details of the various Bank accounts in Fixed Deposits had been kept and relating to which Succession Certificate is now sought had been given in the schedule to the petition.

5. After effecting publication, the petitioner was invited to tender evidence.

6. The petitioner examined herself as P.W.1. The Death Certificate of A.M.Gopalan was marked as Ex.P18. The Death Certificate of G.Sujatha was marked as Ex.P17. The Legal Heirship Certificate of A.M.Gopalan was marked as Ex.P15.



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7. It has been stated in the petition that G.Sujatha had married one D.Premkumar @ Prakash and that, he had deserted by her and had subsequently married to K.Kavitha on 15.12.2006. It is very specifically stated that no children were born to G.Sujatha.

8. The details relating to the Fixed Deposit Receipts and other Debts were marked as Exs.P1 to P12. Some of them were Xerox copies and the learned counsel stated that the originals had been lost. The consent affidavit of the respondent had been marked as Ex.P19.

9. In view of the evidence presented, the Original petition stands allowed. Succession Certificate be issued in the name of the petitioner. However, when the order is presented before the Bank Authorities, the authorities may verify whether the amounts are actually available and thereafter, taking into consideration, the grant of Succession Certificate may disburse the amounts.

18.11.2022

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