



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

MONDAY, THE 20TH DAY OF JUNE 2022

THE HON'BLE MR. JUSTICE KRISHNAN RAMASAMY

O.P.No.834 of 2019

In the matter of the Indian Succession
Act, XXXIX of 1925,

and

In the matter of Deposits of Inderjit
Singh Grewal (Died) Intestate.

*** 1. LATHA GREWAL,**
W/o.Late Inderjit Singh Grewal Plot No.20,
Bhavani Nagar, Lakshmi Puram,
Kolathur, Chennai-600099.

*** 2. NAVNEET GREWAL**
W/o.Godwin,
6014, Avenue A,
Fairfeild, Alabama - 35064, U.S.A.

*** (2nd Applicant / 2nd Respondent transposed as
2nd Petitioner as per order dt.24/08/2021
in A.No.2895/2021 and amended as
per order dt.24/08/2021 in A.No.2896/2021)**

..Petitioners

-Vs-

<https://hcservices.ecourts.gov.in/hcservices/>
1. MR. SURENDAR SINGH GREWAL,
S/o.Late Bhagwan Singh Grewal,



No.452, Sangat Road,
Civil Lines,
Ludhiana, Punjab-141001.

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**(2nd Applicant / 2nd Respondent transposed
as 2nd Petitioner as per order dt.24/08/2021
in A.No.2895/2021 and amended
as per order dt.24/08/2021 in
A.No.2896/2021)**

..Respondents

This original petition praying that this Hon'ble court be pleased that a Succession certificate may be granted to the petitioner herein with the absolute powers to collect, transfer, assign and mortgage the share of the petitioner and in the debts and securities 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 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 1st petitioner.



2.The deceased Inderjit Singh Grewal and the respondent are brothers. The 1st petitioner is the wife of the deceased and the 2nd petitioner is the daughter of the deceased. The 1st petitioner's husband passed away on 31.01.2015. The deceased has joint account in A/c.No.0065019308716 in the State Bank of Patiala, Chennai Branch (now State Bank of India) along with the respondent. A sum of Rs.39,22,886.00/- is lying in the said Bank account. Therefore, the petitioner has come forward with the petition for grant of succession certificate.

3.The learned counsel appearing for the petitioners submitted that the 1st petitioner is entitled to a sum of Rs.19,61,443/-, which is half of the amount lying in the Bank account. Though it is stated that the deceased share is only a sum of Rs.19,61,443/-, the 2nd petitioner has given Power of Attorney to operate to the existing Bank accounts of the deceased Inderjit Singh Grewal to the 1st petitioner. The said Power of Attorney is marked as Ex.P5.

4.In order to prove the case of the 1st petitioner, the 1st petitioner has been examined as P.W.1 and she narrated the averments made in the petition stating that she has filed this petition for the grant of succession



Ex.P1 is the photocopy of the marriage certificate dated 14.11.2007. Ex.P2 is the computer generated death certificate of Inderjit Singh Grewal. Ex.P3 is the computer generated legal heirship certificate of Inderjit Singh Grewal. Ex.P4 is the photocopy of the marriage certificate dated 14.11.2007. Ex.P5 is the photocopy of the power of attorney dated 10.03.2022 issued by the 2nd petitioner in favour of the 1st petitioner.

5.The learned counsel appearing for the respondent submitted that since the 1st petitioner has admitted in her averment that the 1st petitioner is entitled only for a half of the amount lying in the Bank account and the remaining half share belongs to the respondent, based the said averment necessary orders may be passed.

6.Considering the averments made in the petition and the evidence rendered by PW.1 along the documents marked as Exs.P1 to P5, this Court is satisfied that the 1st petitioner has succeeded the Estate of the deceased Inderjit Singh Grewal. Therefore, the petition is ordered as prayed for and a direction for grant of Succession Certificate to the 1st petitioner with power to collect the half of the share i.s Rs.19,61,443/-, lying in the State of Patiala (now State Bank of India) in AC.No.0065019308716. It is made clear that



interest therein and the balance amount along with interest goes to the respondent.

7. Accordingly, the 1st petitioner is entitled for the relief as prayed for and this Original Petition stands allowed.

Sd/.K.R.J.
20.06.2022

//Certified to be a true copy//

Dated at Madras this the day of 2022.

su.28/06/2022

COURT OFFICER(O.S.)

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