



O.P.No.817 of 2021

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C.V.KARTHIKEYAN,J.,

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The petition has been filed, taking advantage of Section 372 of the Indian Succession Act, 1925 seeking Succession Certificate relating to the death of R.Venkatesh, who died intestate on 09.05.2021.

2. The 1st petitioner was his wife and the 2nd petitioner was his daughter. The respondent was his sister.

3. At the time when he died, his mother was alive. Subsequently, she died on 03.06.2021. He had in his possession, the securities as stated in the schedule to the petition.

4. After completing necessary formalities, the petitioners were invited to adduce evidence.

5. The 1st petitioner examined herself as P.W.1. The Death Certificate of her husband, R.Venkatesh was marked as Ex.P3 and the Death Certificate of her mother-in-law was marked as Ex.P4. The Legal Heirship Certificate of her husband was marked as Ex.P5, the details of the pay slip of her husband and his holdings in Kotak Mahindra Bank, were marked as Exs.P7 and P10 to P13.



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6. In view of the fact that the mother of her husband survived him, on the date of his death as Class 1 legal heir, she was entitled to a share in his holdings. Subsequently, she died. Her share would also devolve to her grand daughter/2nd petitioner. The petitioner would be entitled to 5/6th share of the securities. The reminder 1/6th share would go to the respondent.

7. The Original Petition stands allowed.

8. The Succession Certificate is to be issued in the name of the petitioners in the aforesaid terms.

02.11.2022

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Note: Issue Order Copy on 04.11.2022.

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