



O.P.No.94 of 2022

WEB COPY

O.P.No.94 of 2022

KRISHNAN RAMASAMY.J.,

This Petition has been filed under Section 372 of the Indian Succession Act, 1925 read with Order XXV Rule 6 of the Madras High Court Original Side Rules, to grant succession certificate in favour of the first petitioner with power to collect the debts and to receive the interest specified in the schedule hereto and to permit the first petitioner to open the Bank Locker in the presence of the Bank Manager.

2. It is the case of the petitioners that the first petitioner is the wife of the deceased V.D.Madhusudhana Rao. The second petitioner is the mother of the said deceased. The third & fourth petitioners are the minor son and minor daughter of the said deceased and therefore, the minor petitioners are represented by their mother and natural guardian, the first petitioner herein. The petitioners are the only Class - I legal heirs of deceased V.D.Madhusudhana Rao, who died intestate on 26.11.2020. The petitioners are filing this petition for grant of Succession Certificate in favor of the 1st



O.P.No.94 of 2022

petitioner/wife of the deceased. It is required for the purpose of obtaining the amount lying in the Savings Bank Account of the deceased and it has Rs.34,700.49/- and in addition to that approximately he has Rs.1,00,000/- in the form for movables in the bank locker.

3. It is further stated that other than the petitioners, there are no other relatives to succeed the estate of the deceased as legal heirs. Therefore, the petitioners are entitled for equal share in the estate of the said deceased V.D.Madhusudhana Rao.

4. The petitioner further states that the second petitioner is suffering from various ailments and unable to move, hence she consents for the issue of succession certificate to the first petitioner and she has no objection for the same. The first petitioner further undertakes to deposit minors' shares in any nationalized bank till the minors attain majority.

5. 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



O.P.No.94 of 2022

District Court or delegate or to any High Court. Hence, the petitioners have approached this Court for grant of succession certificate in favor of the first petitioner with power to collect the debts and to receive the interest specified in the schedule and to permit the first petitioner to open the Bank Locker in the presence of the Bank Manager.

6. In order to prove their case, Mrs.Prasanna Madhusudhan, the first petitioner herein, is examined as P.W.1 and marked Exs.P1 to P10.

Ex.P1 is the computer generated death certificate of V.D.Madhusudhana Rao.

Ex.P2 is the computer generated Legal Heirship certificate of V.D.Madhusudhana Rao

Ex.P3 is the computer generated statement of holding as on 29.10.2021 given by Standard Chartered Bank, Mumbai held by V.D.Madhusudhana Rao in client ID No.11009095.

Ex.P4 is the photocopy of the Aadhaar card of V.D.Madhusudhana Rao (Compared with the original).



O.P.No.94 of 2022

Ex.P5 is the photocopy of the Aadhaar card of the first petitioner
(Compared with the original).

Ex.P6 is the photocopy of the Aadhaar card of V.D.Sumathi
(Compared with the original).

Ex.P7 is the photocopy of the Aadhaar card of V.M.Tharun Aadithya
(Compared with the original).

Ex.P8 is the photocopy of the Aadhaar card of M.Thanvi Anjana
(Compared with the original).

Ex.P9 is the consent affidavit given by the second petitioner.

Ex.P10 is the copy of paper publication effected in one issue of Tamil daily "Makkal Kural" dated 18.06.2022.

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

7. Considering the averments made in the petition and the evidence tendered by P.W.1 along with the documents marked as Exs.P1 to P10, this Court is satisfied that the petitioners have succeeded for the Estate of the deceased Mr.V.D.Madhusudhana Rao.



O.P.No.94 of 2022

8. Accordingly, the petition is ordered as prayed for and a direction for grant of Succession Certificate to the first petitioner with power to collect the debts and to receive the interest specified in the schedule and to permit the first petitioner to open the Bank Locker in the presence of the Bank Manager, is hereby issued.

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

gbi

18.08.2022



WEB COPY



O.P.No.94 of 2022

KRISHNAN RAMASAMY.J.,

gbi

O.P.No.94 of 2022

18.08.2022