



WEB COPY



O.P.No.508 of 2023

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N.SATHISH KUMAR, 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 petitioners.

2.Heard the learned counsel for the petitioners.

3. It is the case of the petitioners that the first petitioner is the wife of the deceased Gnana Prakasam Mohan kumaran and the second and third petitioners are daughter and son of the deceased and the fourth petitioner is the mother of the deceased. The said Gnana Prakasam Mohan kumaran died on 12.09.2021. The petitioners are Class I legal heirs of the deceased. The deceased Gnana Prakasam Mohan kumaran died intestate and though due and diligent search has been made for a Will, none has been found in



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respect of the debts mentioned in the schedule. The deceased left the amount specified in the Schedule, within the jurisdiction of this Court. The debts in respect of which succession certificate is required for the value of Rs.96,38,635/-. The first petitioner undertakes to deposit the minors' share in their name in any Nationalized Bank till they attain the majority. The respondents have filed consent affidavits for grant of succession certificate in favour of the petitioners. Hence, the petitioners have approached this Court for grant of succession certificate in favour of the petitioner with power to collect the debts as specified in the schedule.

4. The first petitioner was examined as P.W.1 and marked Exs.P1 to Ex.P.13.

5. P.W.1 in her evidence had narrated the averments made in the petition stating that the petitioner have filed this petition for grant of Succession Certificate in their favour. Ex.P.2 is the computer generated death certificate of the deceased Gnanaprakasam Mohan Kumaran. Ex.P.2 has been filed to show that the deceased died on 12.09.2021. Ex.P.4 and



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Ex.P.5 are birth certificates of the second and third petitioners. Ex.P.6 is the letter sent by the DBS Bank showing the details of accounts held by the deceased Gnana Prakasam Mohan Kumaran. Ex.P.13 is the Paper publication and none objected for the same.

6. Considering the averments made in the petition and the documents filed by the petitioners, I am satisfied that the petitioners have succeeded the debts of the deceased Gnana Prakasam Mohan kumaran. Therefore, the petition is ordered as prayed for and a direction for grant of Succession Certificate in favour of the petitioners with power to collect and to receive deposit specified in the schedule together with interest as applicable till the date of withdrawal, is issued. The share of the minors shall be deposited in a fixed deposit in any of the nationalized bank till the minors attain majority. The first petitioner shall produce a copy of the deposit receipt within one month after the deposit of the share of the minors.

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