

**O.P.No.516 of 2023****N.SATHISH KUMAR, 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 petitioners.

2.Heard the learned counsel for the petitioners.

3. It is the case of the petitioners that first and second petitioners are the sons and the third petitioner is the daughter of Mrs.Josephine Depoures M and A.Martin Depoures. The petitioners are the surviving Class I legal heirs of the deceased Mrs.Josephine Depoures M and A.Martin Depoures. The deceased Mrs.Josephine Depoures M died on 13.05.2021 and A.Martin Depoures died on 17.07.2013. The deceased died intestate and though due and diligent search has been made for a Will, none has been found in respect of the debts mentioned in the schedule. The deceased left the amount specified in the Schedule, within the jurisdiction of this Court. The succession certificate is required for the purpose of availing insurance benefits. Hence, the petitioners have approached this Court for grant of succession certificate in favour of the petitioners with power to collect the debts and to receive the interest and dividends on and negotiate and transfer the securities as specified in the



schedule.

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4. The first petitioner examined himself as P.W.1 and marked Exs.A1 to Exs.A7.

5. P.W.1 in his evidence had narrated the averments made in the petition stating that the petitioners have filed this petition for grant of Succession Certificate in favour of the petitioners. Ex.P1 is the photocopy of insurance policy in TATA AIG Insurance standing in the name of Mrs.M.Josephine Depoures. Ex.P.2 is the copy of the death certificate of Mr.Martin DePoures Anantharaj. Ex.P.3 is the photocopy of the legal heirship certificate of Mr.Martin DePoures. Ex.P.4 is the computer generated death certificate of Mrs.Josephine DePoures. Ex.P.5 is the computer general legal heirship certificate of Mrs.Josephine DePoures. Ex.P.6 is the letter dated 19.10.2021 sent by TATA AIA Life Insurance addressed to the first petitioner asking him to obtain succession certificate. Ex.P.7 is the computer generated death certificate of Mrs.A.Rajavathy. Ex.P.8 is the copy of the paper publication effected in one issue of Tamil Daily "Makkal Kural" dated 11.11.2023.

6. Considering the averments made in the petition and the documents filed by the petitioners, I am satisfied that the petitioners have succeeded the Estate of the deceased Mrs.Josephine Depoures and Mr. A.Martin Depoures.



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 the debts and to receive the interest and dividends on and negotiate and transfer the securities as specified in the schedule, is issued.

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