



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.

2. Heard the learned counsel for the petitioners.

3. It is the case of the petitioners that first petitioner is the wife, petitioner nos. 2 to 4 are sons and daughter, respectively and fifth petitioner is the mother of deceased Ahamed Ali. The fifth petitioner / mother has filed a consent affidavit granting succession certificate in favour of first petitioner. Thus, the petitioners are the surviving Class I legal heirs of the deceased Ahamed Ali, who died on 11.05.2022. 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 collecting the debts. Hence, the petitioners have approached this Court for grant of succession certificate in favour of the first petitioner with power to collect the debts as specified in the schedule.

4. The first petitioner examined himself as P.W.1 and marked Exs.P1 to ExsP8.

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 first petitioner. Ex.P1 is the computer generated death certificate of Late Ahamed Ali. Ex.P3 is the photocopy of the passport of deceased / Ahamed Ali. Ex.P4 is the downloaded copy of e-mail communication dated 18.10.2022 of the employer of late Ahamed Ali asking for succession certificate from competent court of law. Ex.P5 is email communication via letter dated 22.11.2022 endorsing that late Ahamed Ali is employed in Saudi Arabia. Ex.P6 relates to a letter of employer in regard to insurance claim. Ex.P8 indicates paper publication dated 10.10.2023 qua late Ahamed Ali.

6. Considering the averments made in the petition and the documents filed by the petitioners, I am satisfied that the first petitioners have succeeded the Estate of the deceased Ahamed Ali. Therefore, the petition is ordered as prayed for and a direction for grant of Succession Certificate in favour of the first petitioner with power to collect and to receive deposit specified in the schedule together with interest as applicable till the date of withdrawal, is issued.

05..12..2023

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**N.SATHISH KUMAR, J.**

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**O.P.No.544 of 2023**

**05..12..2023**