



O.P.No.852 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **31.03.2023**

CORAM

THE HONOURABLE **MR.JUSTICE K.KUMARESH BABU**
O.P.No.852 of 2015

P.Shanthi

... Petitioner

PRAYER: Original Petition filed for Succession Certificate under Section 372 of Indian Succession Act, 1925 under Order XXV Rule 6 of Original Side Rules, prays that a Succession Certificate in favour of the petitioner with power to collect the debts and to receive the interest as specified in the Schedule annexed hereto.

For Petitioner : Mr.S.Udaya Kumar
for Ms.K.Kumutha

ORDER

The petitioner seeks Succession Certificate in respect of the debts held by P.Nirmala, who died intestate on 26.08.2013. The petitioner is the only surviving legal heir of the deceased P.Nirmala.

2. The petitioner is the only daughter of Late R.Padmanabhan and Gajalakshmi, the said Gajalakshmi pre-deceased the petitioner's father and he



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married one Nirmala, and out of the wedlock they have no issues. The father of the petitioner has pre-deceased Nirmala, and said Nirmala, who is the step mother of the petitioner has also deceased on 26.08.2013, leaving behind the petitioner as the only surviving legal heir. The petitioner has been examined as P.W.1. She has produced the death certificates of the deceased P. Nirmala, R.Padmanabhan and Gajalakshmi as Exs.P6, P8 and P14. A paper publication has been made and no objections have been received.

3.In view of the above facts and evidence, the Original Petition is allowed granting Succession Certificate in favour of the petitioner for the grant, in respect of the debts mentioned in the schedule to the petition.

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Index :Yes/No
Speaking : Yes/ No
Neutral Citations : Yes/ No

Petitioner's side witnesses:-

P.W.1 – Mrs.P.Shanthi



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Documents exhibited by the petitioners:

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Petitioner's original birth certificate
Ex.P2	Copy of the letter dated 23.09.2013 sent by the petitioner to the Senior Manager, Bank of Maharashtra, Ashok Nagar, Chennai along with the served acknowledgment card
Ex.P3	Copy of the letter dated 23.09.2013 sent by the petitioner to the Senior Manager, Canara Bank, Ashok Nagar, Chennai along with the served acknowledgment card
Ex.P4	Copy of the letter dated 23.09.2013 sent by the petitioner to the post master, Ashok Nagar Post Office, Chennai along with the served acknowledgment
Ex.P5	Copy of the letter dated 23.09.2013 sent by the petitioner to the Senior Manager, Canara Bank, RS Puram, Coimbatore along with the served acknowledgment card
Ex.P6	Computer generated death certificate of V.Nirmala
Ex.P7	Copy of the letter dated 29.08.2013 sent by the petitioner to the Senior Manager, Canara Bank, Ashok Nagar, Chennai
Ex.P8	Computer generated death certificate of R.Padmanaban
Ex.P9	Office copy of the legal notice dated 10.12.2013 sent by the counsel for the petitioner to the Senior Manager, Bank of Maharashtra, Ashok Nagar, Chennai along with the served acknowledgment card
Ex.P10	Office copy of the legal notice dated 10.12.2013 sent by the counsel for the petitioner to the Senior Manager, Canara Bank, Ashok Nagar, Chennai along with the served acknowledgment card
Ex.P11	Office copy of the legal notice dated 10.12.2013 sent by the counsel for the petitioner to the Senior Manager, Canara Bank, R.S.Puram, Coimbatore along with the served acknowledgment card



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<i>Exhibits</i>	<i>Documents</i>
Ex.P12	Office copy of the legal notice dated 10.12.2013 sent by the counsel for the petitioner to the Post Master, Ashok Nagar Post Office, Chennai
Ex.P13	Office copy of the legal notice dated 07.01.2014 sent by the counsel for the petitioner to the Senior Manager, Canara Bank, R.S.Puram, Coimbatore along with the served acknowledgment card
Ex.P14	Original death certificate of Gajalakshmi

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