



O.P.No.458 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 first petitioner.

2.Heard the learned counsel for the petitioners.

3. It is the case of the petitioners that the first petitioner is the husband of the deceased S.Meyyammai, the second petitioner is the son of the deceased. The said S.Meyyammai died on 25.07.2015. The petitioners are the legal heirs of the deceased S.Meyyammai. The deceased S.Meyyammai died intestate and though due and diligent search has been made for a Will, none has been found in respect of the securities and debts mentioned in the schedule. The deceased left the amount specified in the Schedule, within the jurisdiction of this Court. The securities and debts in



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respect of which succession certificate is required for the value of Rs.21,68,686.54. Hence, the petitioners have approached this Court for grant of succession certificate in favour of the first petitioner with power to collect the securities and debts as specified in the schedule.

4. The first petitioner was examined as P.W.1 and marked Exs.P1 to Ex.P.9.

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.P.1 is the marriage certificate of the petitioner and the deceased S.Meyyammai. Ex.P.2 is the birth certificate of the second petitioner. Ex.P.2 shows that the the second petitioner was born to the petitioner and the deceased S.Meyyammai. Ex.P.3 is the copy of the death certificate of the deceased of S.Meyyammai. Ex.P.3 has been filed to show that the deceased S.Meyyammai died on 25.07.2015. Ex.P.4 is the computer generated legal heir certificate of the deceased S.Meyyammai. Ex.P.4 shows that the



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petitioners are the legal heirs of the deceased S.Meyyammai. Ex.P.5 to 7 have been filed to prove the assets of the deceased S.Meyyammai. Ex.P.8 is the affidavit filed by the first petitioner undertaking to deposit the share of the minor in the bank. Ex.P.9 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 securities and debts of the deceased S.Meyyammai. 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. The share of the minor, the second petitioner herein, shall be deposited in fixed deposit in any of the nationalized bank till the minor attains majority.

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