

**O.P.No.509 of 2022**

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N.SATHISH KUMAR, J.

This Petition has been filed under Section 372 of the Indian Succession Act 39 of 1925 read with Order XXV Rule 6 of the Madras High Court Original Side Rules, to grant succession certificate in favour of the petitioner in respect of the share certificates left by deceased Dr.Ashok Sundararaman.

2. Heard the learned counsel for the petitioner.

3. It is the case of the petitioner that her father viz., Dr.Ashok Sundararaman died on 06.12.2016. The deceased at the time of his death, left the petitioner and respondent as his surviving class I legal heirs. The petitioner and respondent are respectively daughter and son of the deceased. The wife of the deceased namely Rani Ashok predeceased the deceased on 15.02.2007.

3.1. The deceased died intestate and though due and diligent search has been made for a Will, none has been found.



3.2 The deceased left the share certificates specified in the Schedule valuing to the tune of Rs.50,74,698/-. The petitioner and the respondent, as class 1 legal heirs of the deceased are entitled to claim the schedule properties.

3.3. The succession certificate is required for the purpose of transferring the shares left by the deceased in favour of the petitioner.

3.4. The respondent has no objection in granting succession certificate to the petitioner and to that effect, he has filed consent affidavit.

Hence, the petitioner has approached this Court for grant of succession certificate in favour of her with power to collect the debts as specified in the schedule.

4. The petitioner was examined as P.W.1 and marked Exs.P1 to Ex.P.8.

5. P.W.1 in her evidence had narrated the averments made in the petition stating that the petitioner has filed this petition for grant of Succession Certificate in favour of the petitioner.



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6. Ex.P.1 is the copy of the death certificate of the deceased Dr.Ashok Sundararaman which proves the death of the deceased. Ex.P.2 is the death certificate of Mrs.Rani Ashok, wife of deceased. Ex.P.3 is the copy of the original legal heirship certificate of the deceased Dr. Ashok Sundararaman which shows that the petitioner and the respondent are the only legal heirs of the deceased. Ex.P.6 is the original dividend certificate standing in the name of Dr.S.Ashok Sundararaman in MRF Limited. Ex.P.7 is the letter issued to the petitioner by Manager, MRF Limited. Ex.P.8 is the Paper publication effected in 'Makkal Kural' stating that if any one having claim over the assets left by the deceased, he may raise objection, but none has objected for it.

7. Considering the averments made in the petition and the documents filed by the petitioner, I am satisfied that the petitioner has succeeded the Estate of the deceased Dr.Ashok Sundararaman.

8. Therefore, the petition is ordered as prayed for and a direction for grant of Succession Certificate in favour of the petitioner with power to



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collect and to receive deposit specified in the schedule together with interest
as applicable till the date of withdrawal, is issued.

09.10.2023

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