



O.P.No.490 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 second petitioner.

2.Heard the learned counsel for the petitioners.

3. It is the case of the petitioners that the first petitioner is the mother of the deceased Sakthivelraju and the second and third petitioners are the sons of the said Sakthivelraju. The said Sakthivelraju died on 06.05.2021. The petitioners are the legal heirs of the deceased Sakthivelraju. The deceased Sakthivelraju 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 securities in respect of which



O.P.No.490 of 2023

succession certificate is required for the value of Rs.11,50,000/-. The first and third petitioner have given consent affidavits for grant of succession certificate in favour of the second petitioner. Hence, the petitioners have approached this Court for grant of succession certificate in favour of the second petitioner with power to collect the debts as specified in the schedule.

4. The second petitioner was examined as P.W.1 and marked Exs.P1 to Ex.P.16.

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 second petitioner. Ex.P.9 is the computer generated death certificate of the deceased of Sakthivelraju. Ex.P.9 has been filed to show that the deceased Sakthivelraju died on 06.05.2021. Ex.P.10 is the computer generated legal heir certificate of the deceased Sakthivelraju. Ex.P.10 has been filed to prove that the petitioners are legal heirs of the deceased. Ex.P.1 to Ex.P.8 have been filed to prove the assets of the deceased Sakthivelraju. Ex.P.16 is Paper publication and none



O.P.No.490 of 2023

objected for the same.

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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 Sakthivelraju. Therefore, the petition is ordered as prayed for and a direction for grant of Succession Certificate in favour of the second 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.

27.11.2023

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O.P.No.490 of 2023

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O.P.No.490 of 2023

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