



O.P.No.O.P.No.311 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, second and fourth petitioners are the sons of the deceased E.A.Joseph and the third petitioner is the daughter of the deceased E.A.Joseph. The mother of the petitioners Sosamma Joseph, predeceased the deceased on 13.07.2004. The petitioners are the class I legal heirs of the deceased E.A.Joseph. The deceased E.A.Joseph 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



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schedule. The deceased left the amount specified in the Schedule, within the jurisdiction of this Court. The securities in respect of which succession certificate is required for the value of Rs.17,51,460.00. 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 was examined as P.W.1 and marked Exs.P1 to Ex.P.8.

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 original death certificate of E.A.Joseph. Ex.P.1 has been filed to show that the E.A.Joseph died on 19.06.2007. Ex.P.2 is the Computer Generated Legal Heirship Certificate of the said E.A.Joseph. Ex.P.2 shows that the petitioners are the legal heirs of the deceased E.A.Joseph. Ex.P.4 has been filed to show the shares standing in the name of E.A.Joseph. Ex.P.5 is the



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paper publication effected and none 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 E.A.Joseph. 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.

16.10.2023

vrc



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