



O.P.No.264of 2023

deceased G.Selvarajan alias G.Selvaraj. The G.Selvarajan was operating the account; he died intestate on 23.06.2021 by leaving the petitioners as his legal heirs. The 1st petitioner is his wife and the 2nd and 3rd petitioners are his daughter and son of the deceased G.Selvarajan. The deceased G.Selvarajan has already got an alias name as G.Selvaraj and hence his name being mentioned as Selvaraj or Selvarajan in the government records and the bank accounts operated by him. Since G.Selvarajan alias G.Selvaraj died, the petitioners, who are his surviving legal heirs, have filed this petition seeking Succession Certificate for the purpose of securing and collecting the debts and interest amounts standing in the name of the deceased G.Selvarajan alias G.Selvaraj.

3. The 2nd petitioner examined himself as PW.1 and Ex.P1 to P12 were marked through him.

4. From the death certificate for Ex.P1, it is seen that the father of PW.1 died on 29.07.2021. The legal heir certificate is produced as Ex.P2, which would show that the petitioners are the only surviving legal heirs of the deceased G.Selvarajan alias G.Selvaraj. The parents of the deceased G.Selvarajan alias G.Selvaraj have predeceased him and hence their names



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do not appear on the legal heir ship certificate, which is marked as Ex.P2.

During the statement of accounts which is marked as Ex.P3, it is seen that the deceased G.Selvarajan alias G.Selvaraj was operating a bank account and there were some outstanding amounts mentioned in the petition. Ex.P12, the paper publication effected in one issue of the Tamil daily 'Makkal Kural' dated 13.07.2023 did not attract any objectors. The 1st and 3rd petitioners have given consent to grant Succession Certificate in favour of the 2nd petitioner's name and the consent affidavits have been marked as Ex.P10 and Ex.P11. Since the petitioners are the surviving legal heirs of the deceased G.Selvarajan alias G.Selvaraj, they are entitled to inherit the same equally among themselves.

5. With the above oral evidence of PW.1 and documentary evidence produced, the petitioners have proved their claim. Considering the consent affidavits given by the 1st and 3rd petitioners in favour of the 2nd petitioner, the 2nd petitioner's prayer for seeking a Succession Certificate for the securities mentioned in the petition shall be granted.

6.Hence:

(a) the petition is **ordered** and

(b) The Succession Certificate shall be issued in favour of the 2nd



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petitioner with power to collect the debts with interest and dividends on and negotiate and transfer the securities specified in the schedule to the petition on payment of appropriate succession duty, if it not paid already.

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Index :Yes/No
Speaking: Non-Speaking
Neutral: Yes/No



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APPENDIX

Petitioner's witness:

P.W.1 – Ms.Umamageshwari

Documents exhibited by the petitioners:

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	The computer generated death certificate of Mr.Selvaraj dated 29.07.2021.
Ex.P2	The computer generated legal heir certificate of Mr.Selvaraj dated 18.08.2021.
Ex.P3	The certified copy of the statement of account in Indian Bank, Thiruverkadu Branch of Mr.G.Selvarajan dated 31.03.2023.
Ex.P4	The photocopy of the Aadhaar card of Selvaraj (compared with original)
Ex.P5	The photocopy of the Family Card of Selvaraj (compared with original)
Ex.P6	The photocopy of the Aadhaar card of the 1 st petitioner (compared with original)
Ex.P7	The photocopy of the Aadhaar card of the 2 nd petitioner (compared with original)
Ex.P8	The photocopy of the Aadhaar card of 3 rd petitioner (compared with original)
Ex.P9	The photocopy of the death certificate of the mother of deceased issued on 25.11.2022.(compared with original)
Ex.P10	The consent affidavit of the 1 st petitioner.
Ex.P11	The consent affidavit of the 3 rd petitioner.
Ex.P12	The paper publication in one issue of Makkal Kural dated 13.07.2023.

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R.N.MANJULA, J.

jrs

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