



O.P.No.430 of 2023

O.P.No.430 of 2023

WEB COPY

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 is that the petitioners 1 and 4 are the sons and petitioners 2, 3 and 5 are the daughters of the deceased A.Lalchand. The said A.Lalchand died on 30.04.2001. The petitioners are the legal heirs of the deceased A.Lalchand. The deceased A.Lalchand 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 petitioners 2 to 5 have no objection in granting succession certificate in favour of the first petitioner. The deceased left the amount specified in the



O.P.No.430 of 2023

Schedule, within the jurisdiction of this Court. The debts in respect of which succession certificate is required for the value of Rs.16,84,900/-.

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.4.

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 his favour. Ex.P.1 is the copy death certificate of the deceased of A.Lalchand. Ex.P.1 has been filed to show that the deceased A.Lalchand died on 30.04.2001. Ex.P.2 is the copy of legal heir certificate of the deceased A.Lalchand. Ex.P.2 shows that the petitioners are the legal heirs of the deceased A.Lalchand. Ex.P.3 has been filed to prove the assets of the deceased A.Lalchand. Ex.P.4 is the Paper publication and none objected for the same.



O.P.No.430 of 2023

6. Considering the averments made in the petition and the documents filed by the petitioners, I am satisfied that the petitioners have succeeded the debts of the deceased A.Lalchand. 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.

08.12.2023

vrc



WEB COPY



O.P.No.430 of 2023

N.SATHISH KUMAR, J.

VTC

O.P.No.430 of 2023

08.12.2023