



O.P.No.374 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 petitioners.

2.Heard the learned counsel for the petitioners.

3. It is the case of the petitioners that the first petitioner is the wife of the deceased Uttam Chand Jain and the petitioners 2 to 5 are the sons and daughters of the said Uttam Chand Jain. The said Uttam Chand Jain died on 28.02.2013. The petitioners are the legal heirs of the deceased Uttam Chand Jain. The deceased Uttam Chand Jain 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



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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.20,41,326.85. Hence, the petitioners have approached this Court for grant of succession certificate in their favour 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.9.

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 petitioners. Ex.P.1 is the computer generated death certificate of the deceased of Uttam Chand Jain. Ex.P.1 has been filed to show that the deceased Uttam Chand Jain died on 28.02.2013. Ex.P.2 is the computer generated legal heir certificate of the deceased Uttam Chand Jain. Ex.P.2 has been filed to prove that the petitioners are legal heirs of the deceased. Ex.P.3 has been filed to prove the assets of the deceased Uttam Chand Jain. Ex.P.9 is Paper publication and none objected



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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 Uttam Chand Jain. Therefore, the petition is ordered as prayed for and a direction for grant of Succession Certificate in favour of the petitioners 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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