



O.P.No.316 of 2016

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N.SATHISH KUMAR, J.

This Petition has been filed under Section 372 of the Indian Succession Act XXXIX of 1925 r/w. Order XXV Rule 6 of Original Side Rules to grant Succession Certificate in respect of the debts and assets left by the deceased Krishnaveni.

2. Heard the learned counsel for the petitioners.

3. The contentions of the petitioners is that the first petitioner/Kuppammal is the mother-in-law of the said Krishnaveni, as her son/Kumarappan married Krishnaveni. He died on 12.10.2008. Krishnaveni and Kumarappan had no issues. After the death of Kumarappan, Krishnaveni received the deposits of various banks/assets shown in the Schedule. The said Krishnaveni died intestate on 22.06.2011. While so, as per Section 15(1)(b) of the Hindu Succession Act, 1956, the petitioner/Kuppammal, being the legal heir of the deceased Krishnaveni, has filed this petition. Pending original petition, the first petitioner/Kuppammal died and her legal heirs have been impleaded as petitioners 2 to 7.



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4. The second petitioner has examined herself as P.W.1 and marked Exs.P1 to Ex.P.44.

5. Exs.P4 to P27 were filed to show the details of assets in various banks standing in the name of the deceased Krishnaveni; Exs.P29 to P40 were filed to confirm the correspondences between the petitioners and the authorities concerned; Ex.P41 was filed to show the death certificate of the first petitioner Kupppammal; and Ex.P42 was filed to show the impleaded petitioners as legal heirs of the first petitioner herein/Kupppammal.

6. Considering the averments made in the Original Petition and the above evidences and also taking note of the fact that the respondent despite served with counter not contested the matter and Krishnaveni died intestate leaving the properties and shares, as per Section 15(1)(b) of the Hindu Succession Act appoints the legal heir of the husband namely, the first petitioner/deceased Kupppammal, who was the only legal heir at the time of death of Krishnaveni. Since the said Kupppammal died intestate pending Original Petition, the legal heirs of the said Kupppammal namely, the petitioners 2 to 7 herein are entitled to the assets owned by the deceased Krishnaveni. Therefore, the



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Original Petition is ordered as prayed for and a direction for grant of Succession Certificate jointly in favour of the petitioners 2 to 7 herein as the legal heirs of the deceased Krishnaveni, W/o.Late K.Kumarappan with power to collect the debts specified in the schedule and to receive the interest, dividend on and to negotiate and transfer the debts specified in the schedule. It is also made clear that the shares of the minors/petitioners 5 and 6 shall be kept in interest bearing deposit in any one of the nationalized banks till the minors attain majority, is issued.

02.11.2023

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