



O.P.NO.319 OF 2023

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WEB CO **N.SATHISH KUMAR, J.**

This Original Petition has been filed under Section 372 of the Indian Succession Act XXXIX, 1925 read with Order XXV Rule 6 of the Madras High Court Original Side Rules, to grant succession certificate to the petitioner Mrs.Mallika Sundaresan herein with power to collect debts left by the deceased Shri. S.Sivaram and to receive the interest and dividends on and negotiate and the transfer debts specified in the schedule hereunder in the name of the petitioner herein.

2.The case of the petitioner is that the deceased is unmarried and he died intestate on 22.08.2022. The deceased S.Sivaram had deposited constituent deposit in PPF Account and there is a balance in the above account to the tune of Rs.21,31,235/-. Hence, she seeks succession certificate.

3.The petitioner has examined herself as P.W.1 and marked 10



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documents as Exs-P.1 to P.10. The petitioner herself has deposed about the deposits left by the deceased. The document viz., Ex-P.1 is the computer generated death certificate of the deceased; Ex-P.2 is the computer generated legal heir certificate of the deceased; Ex-P.3 is the computer generated death certificate of R.Sundaresan (husband of the petitioner); Ex-P.4 is the photocopy of the petitioner's Aadhaar Card; Ex-P.5 is the photocopy of the Aadhaar Card of the respondent; Ex-P.6 is the photocopy of the passbook in PPF Account held by the deceased; Ex-P.7 is the original letter dated 05.04.2023 sent by the State Bank of India stating the dues of the deceased; Ex-P.8 is the photocopy of the passbook in saving account jointly held by the petitioner and the deceased in State Bank of India.; Ex-P.9 is the consent affidavit given by the respondent; Ex-P.10 is the paper publication. None has objected for grant of succession certificate in favour of the petitioner.

4.Considering the above, the petitioner has established her right and she being the Class I legal heir of the deceased, is entitled to succession certificate.



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5. Accordingly, this Original Petition is ordered as prayed for and a direction for grant of Succession Certificate in favour of the petitioner with power to collect the debts left by the deceased and to receive interest and dividends on and negotiate and the transfer debts specified in the schedule in the name of the petitioner, is issued.

05.10.2023

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