



WEB COPY



O.P.No.O.P.No.58 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 third petitioner.

2.Heard the learned counsel for the petitioners.

3. It is the case of the petitioners that the first and second petitioners are the daughters and the third petitioner is the son of the deceased R.Rajagopal. The petitioners are the surviving class I legal heirs of the deceased R.Rajagopal. Their mother Saroja also died on 05.04.2015 leaving behind the petitioners as her legal heirs. The deceased R.Rajagopal 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



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deceased left the amount specified in the Schedule, within the jurisdiction of this Court. The succession certificate is required for the value of Rs.2,00,000/-. Hence, the petitioners have approached this Court for grant of succession certificate in favour of the third 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.6.

5. P.W.1 in her 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 third petitioner. Ex.P.1 is the original share certificate in the name of Rajagopal of Ashok Leland dated 11.05.1992. Ex.P.1 has been filed to show the assets of the deceased R.Rajagopal. Ex.P.4 is the computer generated death certificate of the mother of the petitioners, viz., R.Saroja. Ex.P.4 shows that the mother of the petitioners died on 05.04.2015. Ex.P.5 is the original death certificate of the father of the petitioners. Ex.P.5 has been filed to prove that the father of



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the petitioners died on 16.07.2002. Ex.P.6 is the copy of the original legal heirship certificate of the deceased R.Rajagopal. Ex.P.6 shows that the petitioners and their mother are the legal heirs of the deceased R.Rajagopal.

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 R.Rajagopal. Therefore, the petition is ordered as prayed for and a direction for grant of Succession Certificate in favour of the third 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.

06.10.2023

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