



O.P.No.401 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 first petitioner.

2. Heard the learned counsel for the petitioners.

3. It is the case of the petitioners that the first petitioner is the daughter and second petitioner is the son of the deceased Chengalvarayan S. The said Chengalvarayan S died on 07.05.2021. The wife of the deceased also died on 14.05.2021. The petitioners are the legal heirs of the deceased Chengalvarayan S. The deceased Chengalvarayan S 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 amount specified in the Schedule, within the jurisdiction of this Court.



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The debts in respect of which succession certificate is required for the value of Rs.15,11,307/-. Hence, the first petitioner 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.7.

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 first petitioner. Ex.P.1 is the computer generated death certificate of the deceased of Chengalvarayan S. Ex.P.1 has been filed to show that the deceased Chengalvarayan S died on 07.05.2021. Ex.P.2 is the computer generated legal heir certificate of the deceased Chengalvarayan S. Ex.P.2 shows that the petitioners are the legal heirs of the deceased Chengalvarayan S. Ex.P.3 and Ex.P.4 have been filed to prove the assets of the deceased Chengalvarayan S. Ex.P.7 is the Paper publication and none objected for the same.



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6. Considering the averments made in the petition and the documents filed by the first petitioner, I am satisfied that the petitioners have succeeded the debts of the deceased Chengalvarayan S. 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

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