



O.P.No.O.P.No.322 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 petitioner.

2.Heard the learned counsel for the petitioner.

3. It is the case of the petitioner that the petitioner is the wife of the deceased B.K.Vinayagam. The petitioner is the sole legal heir of the deceased B.K.Vinayagam. The parents of the deceased B.K.Vinayagam predeceased him. The deceased B.K.Vinayagam 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. The assets in respect of which succession certificate is required for the value of



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Rs.37,24,944.32/-. Hence, the petitioner has approached this Court for grant of succession certificate in favour of the petitioner with power to collect the debts as specified in the schedule.

4. The petitioner was examined as P.W.1 and marked Exs.P1 to Ex.P.5.

5. P.W.1 in her evidence had narrated the averments made in the petition stating that the petitioner has filed this petition for grant of Succession Certificate in favour of the petitioner. Ex.P.2 is the computer generated death certificate of B.K.Vinayagam. Ex.P.2 has been filed to show that the B.K.Vinayagam died on 16.12.2022. Ex.P.3 is the Computer Generated Legal Heirship Certificate the said B.K.Vinayagam. Ex.P.2 shows that the petitioner is the legal heir of the deceased B.K.Vinayagam. Ex.P.4 is the consolidated accounts statement of Babu Kuppaswamy Vinayagam. Ex.P.4 has been filed to show the assets of the deceased B.K.Vinayagam. Ex.P.5 is the paper publication effected and none objected for the same.



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6. Considering the averments made in the petition and the documents filed by the petitioner, I am satisfied that the petitioner have succeeded the Estate of the deceased B.K.Vinayagam. Therefore, the petition is ordered as prayed for and a direction for grant of Succession Certificate in favour of the 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.

03.10.2023

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