



WEB COPY



O.P.No.O.P.No.254 of 2022

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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 daughter of the deceased KV Raghupathy and the first respondent is the wife of the deceased and the second respondent is the son of the deceased. The deceased KV Raghupathy died on 08.02.2020. The petitioner and the respondents are the legal heirs of the deceased KV Raghupathy. The deceased KV Raghupathy died intestate and though due and diligent search has been made for a Will, none has been found in respect of the debts



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mentioned in the schedule. The deceased left the amount specified in the Schedule, within the jurisdiction of this Court. The succession certificate is required for the value of Rs.49,77,330/-. 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.11.

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 her favour. Ex.P.5 is the death certificate of the deceased KV Raghupathy. Ex.P.5 has been filed to prove that the deceased died on 08.02.2020. Ex.P.6 is the copy of the original legal heirship certificate of the deceased KV Raghupathy. Ex.P.6 shows that the petitioner and the respondents are the legal heirs of the deceased KV Raghupathy. Exs.P.1 to 4, 7, 8, 9 have been filed to show the assets of the deceased KV Raghupathy. Ex.P.10 is the no objection letter dated 16.10.2020 given by



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the first respondent for issuing succession certificate in favour of the petitioner. Ex.P.11 is the email dated 26.10.2020 sent by the second respondent stating that he has no objection for transmission of shares in the name of the petitioner and renouncing all his rights in the shares held by the deceased. Despite Ex.P.12 paper publication, none objected and the same is recorded.

6. Considering the averments made in the petition and the documents filed by the petitioner, I am satisfied that the petitioner has succeeded the Estate of the deceased KV Raghupathy. 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.

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