



O.P.No.687 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **02.06.2023**

CORAM

THE HONOURABLE **MR.JUSTICE K.KUMARESH BABU**
O.P.No.687 of 2022

1.K.Ammu

2.N.Jeyapal

... Petitioners

PRAYER: Original Petition filed for Succession Certificate under Section 372 of the Indian Succession Act, 1925 and under Order XXV Rule 6 of Original Side Rules, prays that a Succession Certificate may be granted to the petitioners with power to collect the debts and to receive the interest specified in the schedule.

For Petitioner : Mr.S.Parthasarathy

ORDER

The petitioners seek Succession Certificate in respect of the debts held by Dhanasekaran, who died intestate on 15.08.2018. The first petitioner is the sister and the second petitioner is the brother of the deceased Dhanasekaran.

2. The petitioners state that the deceased Dhanasekaran was married to one Lakshmi, and on 19.09.2010, the II Additional Family Court,



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Chennai has granted mutual divorce, and they have no issues out of the wedlock. The parents of the deceased has also pre-deceased him. So there are no surviving Class-I legal heirs for the deceased Dhanasekaran, thereby the petitioners as Class-II legal heirs have filed this original petition.

3. The first petitioner has been examined as P.W.1. She has produced the death certificate of the deceased Dhanasekaran, which has been marked as Ex.P2. The divorce order dated 19.09.2010, passed in O.P.No.820 of 2010, is marked as Ex.P1. A paper publication has been made and any objections have not been received.

4. In view of the above said facts and evidence, the Original Petition is allowed by granting Succession Certificate in favour of the petitioners in respect of the debts mentioned in the schedule to the petition.

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Index :Yes/No

Speaking: Yes/ No

Neutral Citation: Yes/No



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Petitioners' witness:

P.W.1 — Mrs.K.Ammu

Documents exhibited by the petitioners:

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Original divorce order dated 19.09.2010 passed in O.P.No.820 of 2010
Ex.P2	Computer generated death certificate of Mr.Dhanasekaran
Ex.P3	Photocopy of Aadhar card of Mr.N.Dhanasekaran
Ex.P4	Photocopy of the first petitioner's Aadhar card
Ex.P5	Photocopy of the Aadhar card of the 2 nd petitioner
Ex.P6	Letter dated 29.01.2019 addressed to the first petitioner by LIC Housing Finance Ltd.
Ex.P7	Legal notice dated 01.04.2010
Ex.P8	Original letter dated 23.05.2019 addressed to the first petitioner's counsel by the LIC Housing Finance Ltd
Ex.P9	Copy of the paper publication effected in one issue of Tamil daily "Makkal Kural", dated 17.02.2022

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