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O.P.No.618 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.04.2023

CORAM

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

O.P.No.618 of 2022

1.B.Kolila

2.B.Vinoth

3.B.Dilip

... Petitioners

PRAYER: Original Petition filed for Succession Certificate under Section 372 of Indian Succession Act, 1925 under Order XXV Rule 6 of Original Side Rules, prays that a Succession Certificate may be granted in favour of the first Petitioner/ wife of deceased Balaramudu with powers to collect the debts and to receive the interest as specified in the schedule annexed hereto.

For Petitioners : Mr.K.S.Senthil

ORDER

The petitioners seeks Succession Certificate in respect of the debts held by Balaramudu, who died intestate on 07.09.2020. The deceased has married one Nagammal, and she died on 30.10.1981, and out of the wedlock they had no issues. The first petitioner is the wife out of the second marriage and second and third petitioners are the sons of the deceased Balaramudu.

2. The first petitioner has been examined as P.W.1. She has produced the death certificates of the deceased Balaramudu and Nagammal, as Exs.P2



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and P1. The legal heirship certificate of the deceased Balaramudu, has been produced as Ex.P9. A perusal of Ex.P9 shows that the petitioners are the only Class-I legal heirs of the deceased Balaramudu. A paper publication has been made and any objections have not been received.

3.In view of the above evidence, the Original Petition is allowed by granting Succession Certificate in favour of the first petitioner, 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

Petitioner's witness:

P.W.1 – Mrs.B.Kokila

Documents exhibited by the petitioners:

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Computer generated death certificate of Nagammal
Ex.P2	Computer generated death certificate of K.Balaramudu
Ex.P3	Photocopy of the pension payment order of Balaramudu in Corporation of Chennai



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<i>Exhibits</i>	<i>Documents</i>
Ex.P4	Photocopy of the identity card of Balaramudu issued by Chennai Corporation
Ex.P5	Photocopy of the pass book in Indian Overseas Bank, Choolai Branch held by K.Balaramudu
Ex.P6	Photocopy of the pass book in Indian Bank, Purasaiwalkam Branch held by the 1 st petitioner
Ex.P7	Photocopy of the family card for the period of 2005-2009 of Balaramudu
EX.P8	Photocopy of the 1 st petitioner's smart card issued by the Government of Tamil Nadu
Ex.P9	Computer generated Legal heirship certificate of K.Balaramudu
Ex.P10	Photocopy of the Aadhaar card of Balaramudu
Ex.P11	Photocopy of the 1 st petitioner's Aadhar card
Ex.P12	Photocopy of the Aadhaar card of 2 nd petitioner
E.P13	Photocopy of the Aadhaar card of 3 rd petitioner
Ex.P14	Copy of paper publication effected in one issue of Tamil daily "Makkal Kural" dated 10.02.2023

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