

**O.P.No.800 of 2022**

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N.SATHISH KUMAR, J.

This Petition has been filed under Section 372 of the Indian Succession Act 39 of 1925 read with Order XXV Rule 6 of the Madras High Court Original Side Rules, to grant succession certificate in favour of the petitioner in respect of the Postal Endowment Policy left by the deceased K.Srinivasa Rao.

2. Heard the learned counsel for the petitioner.

3. It is the case of the petitioner that she is the elder daughter of the deceased viz., K.Srinivasa Rao, who died on 05.06.2020. The respondents 1 to 3 are respectively, mother, wife and younger daughter of the deceased. The father of the deceased pre-deceased him. The petitioner and the respondents are the only surviving class I legal heir of the deceased K.Srinivasa Rao.

3.1. The deceased left a sum of Rs.5,12,000/- under the Postal Endowment Policy issued by the Postal Department bearing No.TN-132843-



CS. The deceased died intestate without executing a Will and though due and diligent search has been made for a Will, nothing has been found. The petitioner and the respondents as class-1 legal heir of the deceased claims to be entitled to equal share of the estate of the deceased. The respondents have expressed their willingness to give consent to grant succession certificate in favour of petitioner.

3.2 Hence, the petitioner has approached this Court for grant of succession certificate in favour of her 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.8.

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.

6. Ex.P.2 is the copy of the death certificate of the deceased K.Srinivasa Rao, which shows that the deceased died on 25.04.2020



Ex.P.3 is the copy of the original legal heirship certificate of the deceased K. Srinivasa Rao which shows that the petitioner and the respondents are class 1 legal heir of deceased. Ex.P.4 is the copy of the postal endowment policy dated 25.10.1997 issued by the postal department. Ex.P.5 is the letter issued by the postal department requesting to produce necessary documents along with succession certificate to process the claim. Ex.P.6 is the Paper publication effected in 'Makkal Kural' in respect of the debts left by the deceased stating that if any one having claim over the debt of the deceased, he may raise objection, but none has objected for it. . Ex.P.7 and Ex.P.8– are the consent affidavits of 1st respondent and respondents 2 and 3 stating that they have no objection to grant succession certificate in favour of the petitioner.

7. 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 K. Srinivasa Rao.

8. Therefore, the petition is ordered as prayed for and a direction for grant of Succession Certificate in favour of the petitioner with power to



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N.SATHISH KUMAR, J.

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collect and to receive deposit specified in the schedule together with interest
as applicable till the date of withdrawal, is issued.

09.10.2023

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