



O.P.No.124 of 2023

O.P.No.124 of 2023

WEB COPY

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 first petitioner.

2. Heard the learned counsel for the petitioners.

3. It is the case of the petitioners that the first petitioner is the wife of the deceased and the second and third petitioners are minor daughter and son of the deceased and the fourth petitioner is the mother of the deceased. The said Ganapathi.M. died on 01.05.2020. The petitioners are the Class I legal heirs of the deceased Ganapathi.M. The deceased Ganapathi.M. died intestate and though due and diligent search has been made for a Will, none has been found in respect of the securities mentioned in the schedule. The fourth petitioner has no objection in granting succession certificate in favour



O.P.No.124 of 2023

of the first petitioner and she has filed consent affidavit in this regard. The deceased left the amount specified in the Schedule, within the jurisdiction of this Court. The securities in respect of which succession certificate is required for the value of Rs.19,80,882.32. The first petitioner undertakes to deposit the share of the minors in the nationalised bank. Hence, the petitioners have approached this Court for grant of succession certificate in favour of the first petitioner with power to collect the securities as specified in the schedule.

4. The first 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 petitioners have filed this petition for grant of Succession Certificate in her favour. Ex.P.1 is the computer generated death certificate of the deceased of Ganapathi.M.. Ex.P.1 has been filed to show that the deceased Ganapathi.M. died on 01.05.2020. Ex.P.2 is the computer generated of legal heir certificate of the deceased Ganapathi.M.. Ex.P.2



O.P.No.124 of 2023

shows that the petitioners are the legal heirs of the deceased Ganapathi.M..

Ex.P.5 and 6 have been filed to prove the assets of the deceased Ganapathi.M.. Ex.P.11 is the Paper publication and none objected for the same.

6. Considering the averments made in the petition and the documents filed by the petitioners, I am satisfied that the petitioners have succeeded the securities of the deceased Ganapathi.M.. Therefore, the petition is ordered as prayed for and a direction for grant of Succession Certificate in favour of the first 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. The share of the minors, the second and third petitioners herein, shall be deposited in fixed deposit in any of the nationalized bank till the minors attains majority.

22.12.2023

vrc



WEB COPY



O.P.No.124 of 2023

N.SATHISH KUMAR, J.

VTC

O.P.No.124 of 2023

22.12.2023