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O.P.No.324 of 2023

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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 first petitioner.

2.Heard the learned counsel for the petitioners.

3. First petitioner is the husband of deceased D.P.Tamilselvi and second petitioner is the adopted daughter of deceased D.P.Tamilselvi and first petitioner R.Sundaresan. The petitioners have filed this application for issue of succession certificate in respect of the Fixed Deposits left by the deceased in the Chennai Metropolitan Cooperative Housing Society Ltd., which comes within the jurisdiction of this Court. The succession certificate is required for the purpose of collecting the debts. Hence, the petitioners have approached this Court for grant of succession certificate in



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favour of the petitioners with power to collect the debts, to receive the interest and dividends and negotiate and transfer the securities as specified in the schedule.

4. The second petitioner was examined as P.W.1 and marked Exs.P1 to P.9.

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 favour of the first petitioner. Ex.P.1 is the copy of the death certificate of the deceased Tamilselvi. Ex.P.1 has been filed to prove that the deceased died on 29.04.2021. Ex.P.2 is the legal heirship certificate of the deceased Tamilselvi. Ex.P.2 shows that the petitioners are the legal heirs of the deceased Tamilselvi. Ex.P.3(series) is the photocopies of the certificates issued by Chennai Metropolitan Corporation Housing Society Ltd., in respect of fixed deposits held by the deceased Tamilselvi. Ex.P.3 (series) has been filed to show the deposits made by deceased Tamilselvi. Ex.P.8 is the consent affidavit filed by second respondent



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stating no objection for grant of Succession Certificate in favour of the first petitioner. As per Ex.P.9, paper publication has also been taken out and none has objected for it.

6. Considering the averments made in the petition and the documents filed by the petitioners, I am satisfied that the petitioners have succeeded the Estate of the deceased Tamilselvi. 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 the debts and to receive the interest and dividends and negotiate and transfer the securities specified in the schedule, is issued.

06.10.2023

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