



O.P.No.241 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 the petitioners.

2. The 1<sup>st</sup> petitioner is the wife , 2<sup>nd</sup> petitioner and the respondent are the daughters and the petitioners 3 and 4 are the sons of the deceased-Abdul Shukkoor. The deceased died on 18.01.2022 at Apollo Hospitals in Chennai leaving behind the petitioners and the respondent as his surviving legal heirs. It is the case of the petitioners that the deceased was ordinarily residing at No.60/2 Surappa Mudali Street, Triplicane, Chennai 600 005. The parents of the deceased predeceased her. The deceased was operating two savings bank account one with Indian Overseas Bank at Triplicane Branch and the other with Canara Bank at Triplicane Branch and had left her savings of Rs.6,36,781.30 and Rs.12,38,779.98 respectively in the above said Savings Bank Account. That apart, she was also holding Equity Shares with the Indian Overseas Bank in her Demat Account with SBI Cap Securities as described in the schedule. The deceased died intestate and though due and

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diligent search has been made for a Will, none has been found. The succession certificate is required for the purpose of transferring the shares.

The assets in respect of which the succession certificate is required are of the value of Rs.18,78,846.28 paise. The respondent has given her consent for issuance of succession certificate in the name of the petitioners herein. No application for a succession certificate in respect of any debt or security belonging to the estate of the said deceased has been made to any District Court or delegate or to any High Court. Hence, the petitioners have approached this Court for grant of succession certificate in the name of the petitioners with power to collect the debts with accrued interest and to collect the securities, receive the dividends thereon and negotiate and transfer the securities specified in the schedule.

3.The 2<sup>nd</sup> petitioner examined herself as P.W.1 and marked Exs.P1 to P4. Ex.P.1 is the computer generated death certificate of late Abdul Shukkoor. Ex.P.2 is the computer generated legal heirship certificate of late Abdul Shukkoor. Ex.P.3 is the consolidated Account Statement for the period from 01.09.2021 to 30.09.2021 issued by NSDL in respect of Shares held by late Abdul Shukkoor. Ex.P.4 (series-2 Nos.) is the photocopies of



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Bank Passbooks of the deceased.

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4. Considering the averments made in the petition and the documents filed by the petitioners, I am satisfied that the petitioners and the respondent herein have succeeded the Estate of the deceased Abdul Shukkoor. Therefore, the petition is ordered as prayed for and a direction for grant of Succession Certificate to the petitioners with power to collect the debts with accrued interest and to collect the securities, receive the dividends thereon and negotiate and transfer the securities specified in the schedule, is issued. The 2<sup>nd</sup> petitioner is directed to render account once in a year.

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