

**O.P.No.539 of 2023****A.A.NAKKIRAN, J.**

This Petition has been filed under Section 372 of the Indian Succession Act, 1925 and under Order XXV Rule 6 of O.S.Rules to grant succession certificate in favour of the petitioner.

2. The petitioner and respondent are the sons of Mr.Lionel Stanley. Their mother is Mrs.Ramola Stanley, wife of Mr.Lionel Stanley and she died intestate on 22.10.2018 leaving the properties specified in the petition schedule. She had left behind the petitioner and the respondent as her surviving Class I legal heirs, who are having equal rights in the estate of the deceased. Hence, the petitioner has filed the present petition for grant of succession certificate in his favour with the power to collect the securities with dividends on and negotiate and transfer the securities specified in the schedule to the petition.

3. After notice, one Mr.J.Srinivasa Mohan, learned counsel entered appearance for respondent No.2 and he has referred as no cross examination and no oral evidence. The respondent has also given his consent for grant of Succession Certificate to the petitioner.



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4.The petitioner examined himself as P.W.1 and marked

Exs.P.1 to P.9 viz.,

Ex.P1 is the computer generated death certificate of Ramola Stanley.

Ex.P2 is the computer generated legal heir certificate of Ramola Stanley.

Ex.P3 is the photocopy of the Bank Pass Book held by Ramola Stanley in the State Bank of India, Chennai Main Branch.

Ex.P4 is the Photocopy of the Deposit Receipt in the Tamil Nadu State Apex- Co-operative Bank Ltd., standing in the name of the Ramola Stanley.

Ex.P5 is the Photocopy of the Deposit Receipt in the Tamil Nadu State Apex- Co-operative Bank Ltd., standing in the name of the Ramola Stanley.

Ex.P6 is the Photocopy of the Deposit Receipt in the Tamil Nadu State Apex- Co-operative Bank Ltd., standing in the name of the Ramola Stanley.

Ex.P7 is is the Photocopy of the Deposit Receipt in the Tamil Nadu State Apex- Co-operative Bank Ltd., standing in the name of the Ramola Stanley.

Ex.P8 is the Photocopy of the letter dated 23.03.2023 from the State Bank of India Chennai Main Branch, stating that Mrs. Ramola Stanley was maintaining a safety locker in their branch.

Ex.P9 is the copy of paper publication effected in one issue of Tamil daily "Makkal Kural" dated 19.12.2023.

5.He has further stated in his evidence that he has not filed any other petition before any other Court seeking the same relief.



6. 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 Late Mrs.Ramola Stanley, wife of Mr.Lionel Stanley. Therefore, the petition is ordered as prayed for and a direction for grant of Succession Certificate to the petitioner with the power to collect the the debts and to receive interest specified in the petition schedule is issued. He is directed to render accounts once in a year.

02.02.2024

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DATED: 14.11.2014