



O.P.No.764 of 2022

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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 petitioner.

2. Heard the learned counsel for the petitioner and the respondents.

3. It is the case of the petitioner that the petitioner is the wife of the deceased Sathyanarayan Mittal and the respondents are their sons and daughter. The said Sathyanarayan Mittal died on 03.12.2020. The petitioner and the respondents are Class I legal heirs of the deceased. The deceased Sathyanarayan Mittal died intestate and though due and diligent search has been made for a Will, none has been found in respect of the debts mentioned in the schedule. There is no other person to be impleaded in this petition. The deceased left the amount specified in the Schedule, within the jurisdiction of this Court. The debts in respect of which succession certificate is required for



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the value of Rs.74,33,097.30. The respondents have given consent affidavits for grant of succession certificate in favour of the petitioner. Hence, the petitioner has approached this Court for grant of succession certificate in her favour with power to collect the debts and securities 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 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 Sathyanarayan Mittal. Ex.P.1 has been filed to show that the deceased Sathyanarayan Mittal died on 03.12.2020. Ex.P.2 is the computer generated legal heir certificate of the deceased Sathyanarayan Mittal. Ex.P.2 shows that the petitioner and the respondents are the class I legal heirs of the deceased Sathyanarayan Mittal. Ex.P.4 to Ex.P.7 have been filed to show the assets of the deceased Sathyanarayan Mittal. Ex.P.8 is the Paper publication and none objected for the same.



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6. On perusal of the above evidence, this Court is of the view that the evidence substantiate the stand of the petitioner and prove that the petitioner is the legal heir entitled to succeed the estate left by the deceased. Therefore, the petition is ordered as prayed for and a direction for grant of Succession Certificate in favour of the 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.

21.03.2024

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