



O.P.No.565 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 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 J.Ramu and second and third petitioners are their sons and the fourth petitioner is their daughter. The said J.Ramu died intestate on 04.12.2019. The parents of the deceased predeceased him. The petitioners are Class I legal heirs of the deceased. The deceased J.Ramu 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



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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 the value of Rs.14,60,000/-. As the petitioners 2 to 4 are living in abroad, they have given General Power of Attorney in favour of the first petitioner empowering her to initiate any legal proceedings for safeguarding their interest. Hence, the petitioners have approached this Court for grant of succession certificate in favour of the first petitioner with power to collect the debts as specified in the schedule.

4. The first 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 favour of the first petitioner. Ex.P.1 is the computer generated death certificate of the mother of the deceased. Ex.P.1 has been filed to show that the deceased J.Ramu died on 04.12.2019.



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Ex.P.2 is the computer generated legal heir certificate of the deceased J.Ramu. Ex.P.2 shows that the petitioners are the legal heirs of the deceased J.Ramu. Ex.P.4 has been filed to show the assets in the name of the deceased. Ex.P.5 to 7 are the Original General Power of Attorney executed by the petitioners 2 to 4 in favour of the first petitioner. Ex.P.8 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 debts of the deceased J.Ramu. 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.

13.02.2024

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