



O.P.No.664 of 2023

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A.A. NAKKIRAN, J.

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This Petition has been filed under Section 372 of the Indian Succession Act read with Order XXV Rule 6 of the Original Side Rules, to grant a succession certificate in respect of the debts of the deceased Mrs.K.Vimaleswari by his Power Agent, Mr.Gopal Pachaiyappan with the power to collect the debt and to receive the further interest and accrued interest and also to negotiate and to transfer the debts specified in the schedule.

2.Heard the learned counsel for the petitioners.

3.It is the case of the petitioners that the petitioners are presently residing in USA and they are represented by their Power Agent Mr.Gopal Pachaiyappan, appointed under two Deeds of Power of Attorney dated 03.04.2023 and 20.03.2023, which were adjudicated on 25.05.2023 with Adjudication Nos.1477/2023 and 1476/2023, respectively, on the file of the Sub Registrar Office, Mylapore. The petitioners are the sons and the surviving legal heirs of one



O.P.No.664 of 2023

Mrs.K.Vimaleswari and Mr.S.B.Kuppuraju. The 1st petitioner is eldest son and the 2nd petitioner is the youngest son of the said parent, who are no more. The said K.Vimaleswari died on 07.08.2018. Their father Mr.S.B.Kuppuraju died on 24.02.2020. The petitioners are the surviving class I legal heirs of the deceased K.Vimaleswari and except the petitioners, there is no other relative to succeed to the estate of the deceased under the Hindu Succession Act, 1956.

4.The deceased K.Vimaleswari 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. The petitioners are entitled to equal shares of the Public Provident Fund stand in the name of their mother K.Vimaleswari which are mentioned in the Public Provident Account in the State Bank of India held by their deceased mother and described in the schedule in her name. The petitioners truly set forth in the schedule, the particulars of the Public Provident Fund amount in the Bank Account held by their deceased mother, in respect which the Succession Certificate is prayed for by the petitioners. The



O.P.No.664 of 2023

deceased left the amount specified in the Schedule, within the jurisdiction of this Court. The succession certificate is required for the purpose of producing the same before the State Bank of India, to transfer the Public Provident Fund amount in their names. The value of the Public Provident Fund amount mentioned in the schedule for which the Succession Certificate is required as on today could be mentioned as existing value of Rs.13,11,104.24p as on 18.11.2022 with further interest and accrued interest. Hence, the petitioners have approached this Court for grant of succession certificate in favour of the petitioners with power to collect the debts as specified in the schedule.

5.The Power Agent was examined as P.W.1 and marked Exs.P1 to Ex.P.9.

6.P.W.1 in his evidence had narrated the averments made in the petition stating that the Power Agent has filed this petition for grant of Succession Certificate in favour of the petitioners. Ex.P.1 is the computer generated Death Certificate of the deceased Vimalleswari.



O.P.No.664 of 2023

Ex.P.1 has been filed to prove that the deceased K.Vimaleswari died on 07.08.2018. Ex.P.2 is the computer generated Death Certificate of the deceased S.N.Kuppuraju. Ex.P.3 is the computer generated Legalheirship Certificate of the deceased K.Vimaleswari. Ex.P.4 is the photocopy of the Deed of Power of Attorney dated 03.04.2023 executed by Mr.Nagesh Kuppuraju in favour of Mr.Gopal Pachaiyappan. Ex.P.5 is the photocopy of the Deed of Power of Attorney dated 20.03.2023 executed by Mr.M.Sudhakar Kuppuraju in favour of Mr.Gopal Pachaiyappan. Ex.P.6 is the photocopy of the Pan Card of K.Vimaleswari. Ex.P.7 is the photocopy of the Aadhaar Card of Mr.Satyamangalam Balavenkataraman Kuppuraju. ExP.8 is the photocopy of the SBI Provident Fund Passbook bearing Account No.10311777457 in respect of K.Vimaleswari. Ex.P.9 is the copy of the paper publication effected in one issue of Tamil Daily "Makkal Kural" dated 25.01.2024. As per Ex.P.9, paper publication has also been taken out and none has objected for it.



O.P.No.664 of 2023

7.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 Mrs.K.Vimaleswari and Mr.S.B.Kuppuraju. Therefore, the Original Petition is ordered as prayed for and a direction for grant of Succession Certificate in favour of the 1st petitioner with power to collect the debt and to receive the further interest and accrued interest and also to negotiate and to transfer the debts specified in the Schedule.

21.02.2024

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O.P.No.664 of 2023

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O.P.No.664 of 2023

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