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O.P.No.611 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **10.06.2024**

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

O.P. No. 611 of 2023

1.N.Pushpa

2.Prithvi Kannan

... Petitioners

PRAYER: Original Petition filed under Section 372 of the Indian Succession Act (XXXIX of 1925) read with Order XXV Rule 6 of the O.S. Rules to grant a Succession Certificate to the 1st petitioner with power to collect the debts and to receive the interest specified in the Schedule hereto.

For Petitioners : Ms.Priya Vittaldev

ORDER

The petition has been filed seeking Succession Certificate relating to the death of T.Muthukrishnan, the late husband of the 1st petitioner and father of the 2nd petitioner. T.Muthukrishnan died intestate on 13.09.2017. He was employed in BSNL and the petition has been



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filed seeking to receive the family pension and other terminal benefits which had accrued to him owing to his services in BSNL.

2. The 2nd petitioner has given an affidavit, consenting that the Succession Certificate may be issued in favour of his mother/the 1st petitioner.

3. After following due procedure, the parties were directed to tender evidence and accordingly, the 1st petitioner examined herself as P.W.1. She marked the death certificate of her husband as Ex.P4 and legal heirship certificate of her husband as Ex.P6. He had in fact pre-deceased his father Thangarasu who also died subsequently and whose death certificate was marked as Ex.P5.

4. Taking into consideration the evidence recorded and also the fact that the 2nd petitioner had granted consent for the Succession Certificate, the Original Petition stands allowed and Succession Certificate is directed to be issued to the 1st petitioner with power to



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collect the debts and to receive the interest specified in the Schedule hereunder on payment of appropriate succession duty, if not paid earlier.

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APPENDIX

Petitioner's witness:

P.W.1 – N.Pushpa

Documents marked:

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Photocopy of the voter identity card (compared with the original).
Ex.P2	Photocopy of the voter identity card of Mr.Muthukrishnan (compared with the original).
Ex.P3	Photocopy of the Hospital and Medical Final Bill dated 13.09.2017 issued by Royal Care Super Speciality Hospital of Mr.Muthukrishnan (compared with the original).
Ex.P4	Death certificate of Mr.T.Muthukrishnan.
Ex.P5	Computer generated death certificate of Mr.Thangarasu.
Ex.P6	Photocopy of the legal heirship certificate of Mr.Muthukrishnan dated 13.03.2018 (Compared with the original).
Ex.P7	Photocopy of the letter dated 03.02.2022 addressed to me by



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<i>Exhibits</i>	<i>Documents</i>
	the Assistant General Manager, BSNL requesting for succession certificate (compared with the original).
Ex.P8	Photocopy of the Aadhaar Card of the second petitioner (Compared with the original).
Ex.P9	Photocopy of my Aadhaar Card (compared with the original).
Ex.P10	Photocopy of the receipt for housing plot application submitted by Mr.T.Muthukrishnan to the BSNL Co-operative Society Ltd., Chennai (Compared with the original).
Ex.P11	Copy of the paper publication effected in one issue of Tamil Daily “Makkal Kural” dated 03.02.2024.

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C.V.KARTHIKEYAN,J.

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