



WEB COPY



O.P.No.580 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 petitioner.

2.Heard the learned counsel for the petitioner.

3. It is the case of the petitioner that the petitioner is the elder brother deceased Kizhepat Ruben Shivaram. The said Kizhepat Ruben Shivaram died intestate on 20.11.2018 and he died as a bachelor. The petitioner are Class I legal heirs of the deceased. The deceased Kizhepat Ruben Shivaram died intestate and though due and diligent search has been made for a Will, none has been found in respect of the securities mentioned in the schedule. The parents of the deceased predeceased the him. The petitioner is the surviving legal heir of the deceased and there is no other person to be



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impleaded in this petition. The deceased left the amount specified in the Schedule, within the jurisdiction of this Court. The securities in respect of which succession certificate is required for the value of Rs.40,72,819.19. Hence, the petitioner has approached this Court for grant of succession certificate in favour of the petitioner with power to collect the securities as specified in the schedule.

4. The petitioner was examined as P.W.1 and marked Exs.P1 to Ex.P.14.

5. P.W.1 in his evidence had narrated the averments made in the petition stating that the petitioner has filed this petition for grant of Succession Certificate in his favour. 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 mother of the deceased Meenu died on 05.03.2006. Ex.P.2 is the legal heir certificate of the deceased Kizhepat Rubenn Shivram. Ex.P.3 is computer generated death certificate of the father of the deceased. Ex.P.4 shows that the father of the deceased died on 04.11.2021. Ex.P.6 is the



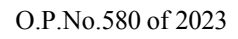
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computer generated death certificate of K.Kizhepat Ruben Shivram. Ex.P.6 shows that the deceased died on 05.03.2006. Ex.P.7 is the certified copy of the Succession Certificate granted to the father of the petitioner. Ex.P.8 to Ex.P.14 have been filed with regard to the securities held by the deceased Kizhepat Ruben Shivaram. Ex.P.5 is the Paper publication and none objected for the same.

6. Considering the averments made in the petition and the documents filed by the petitioner, I am satisfied that the petitioner have succeeded the securities of the deceased Kizhepat Ruben Shivaram. 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.

09.01.2024

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