



O.P.No.345 of 2023

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A.A.NAKKIRAN, 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 petitioners.

2. Heard the learned counsel for the petitioners.

3. It is the case of the petitioners that the first petitioner is the husband of the deceased G.Meera and second petitioner is the son of the deceased. The first petitioner is step father of the respondent and father of second petitioner. The respondent is the daughter of deceased G.Meera born through her first marriage and also sister of the second petitioner. The first petitioner's wife G.Meera was married earlier and had a daughter who is the respondent herein; later separated from her first husband and they got divorce from the Court of Law. Subsequently, the first petitioner had



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married G.Meera and accepted her daughter, the respondent herein who was then aged 6 years. Out of this marriage, they got a male child named G.Devaraj, the second petitioner herein. The said G.Meera died intestate on 08.08.2019. The petitioners and the respondent are Class I legal heirs of the deceased. The deceased G.Meera 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 deceased father Ramakrishna Rao and mother Saroja Ammal predeceased to her. The petitioners and the respondent are the surviving legal heirs of the deceased and there is no other person to be impleaded in this petition. As she was in government service, her spouse/first petitioner is eligible for monthly pension benefits. 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.12,85,202/-. Hence, the petitioners have approached this Court for grant of succession certificate in their favour with power to collect the debts and to receive 2/3rd share in the deposit accumulated with interest as specified in the schedule.



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4. The first petitioner was examined as P.W.1 and marked Exs.P1 to Ex.P.13.

5. P.W.1 in his evidence had narrated the averments made in the petition stating that the petitioners have filed this petition for grant of Succession Certificate in their favour. Ex.P.2 is computer generated death certificate of the deceased G.Meera. Ex.P.2 has been filed to show that the deceased G.Meera died on 08.08.2019. Ex.P.3 is the computer generated legal heir certificate of the deceased G.Meera. Ex.P.2 shows that the petitioners and the respondent are the legal heirs of the deceased G.Meera. Ex.P.7 is the photocopy of the Star Health Insurance Card of the petitioners and the respondent. Ex.P.8 to P10 are the original statement of accounts issued by Indian Bank, Pammal Branch in respect of accounts held by G.Meera. Ex.P11 is the original statement of account issued by Indian Overseas Bank, Kumaran Kundram Branch in respect of account held by G.Meera. Ex.P12 is the original letter from Anna University, Chennai addressed to the petitioners and the respondent asking for succession certificate from the competent court of law. Ex.P.13 is the Paper publication



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and none objected for the same.

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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 G.Meera. Therefore, the petition is ordered as prayed for and a direction for grant of Succession Certificate in favour of the petitioners with power to collect the debts and to receive 2/3rd share in the deposit specified in the schedule together with interest as applicable till the date of withdrawal, is issued.

06.02.2024

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