



O.P.No.705 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 son of the deceased K.M.Venugopal and V.Saraswathi and the second and third petitioners are their daughters. The deceased Venugopal died on 28.06.2015 and his wife V.Saraswathi died on 01.02.1994. The petitioners are the class I legal heirs of the deceased K.M.Venugopal and V.Saraswathi. The deceased 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 person to be impleaded in this petition. The



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second and third petitioners has given consent affidavit for issuance of Succession Certificate in favour of the first petitioner. 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.34,48,152/-. Hence, the petitioners have approached this Court for grant of succession certificate in favour of the first petitioner with power to collect the debts and securities as specified in the schedule.

4. The first petitioner was examined as P.W.1 and marked Exs.P1 to Ex.P.9.

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 favour of the first petitioner. Ex.P.1 is the copy of the computer generated death certificate of the deceased K.M.Venugopal. Ex.P.1 shows that the deceased K.M.Venugopal died on 28.06.2015. Ex.P.2 is the computer generated legal heir certificate of the deceased K.M.Venugopal. Ex.P.2 has been filed to show that the petitioners and their



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mother are the legal heirs of the deceased K.M.Venugopal. Ex.P.3 is the copy of the death certificate of V.Saraswathi. Ex.P.3 has been filed to show that the deceased V.Saraswathi died on 01.02.1994. Ex.P.4 is the confirmation of shares holding issued by Kfin Tech dated 11.07.2023 in respect of the shares held by K.M.Venugopal. Ex.P.8 is the letter dated 08.08.2023 to K.M.Venugopal by Cholamandalam Financial Holdings Limited. Ex.P.9 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 and securities of the deceased K.M.Venugopal and V.Saraswathi. 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.

25.03.2024

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