



O.P.No.759 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 wife of the deceased K.K.Sivasubramaniam and the respondent is their daughter. The said K.K.Sivasubramaniam died on 11.03.2023. The petitioner and the respondent are the class I legal heirs of the deceased K.K.Sivasubramaniam. 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 respondent has given consent affidavit for issuance of Succession Certificate in favour of the 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



O.P.No.759 of 2023

required for the value of Rs.30,89,969/-. Hence, the petitioner has approached this Court for grant of succession certificate in her favour with power to collect the debts and securities as specified in the schedule.

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

5. P.W.1 in her evidence had narrated the averments made in the petition stating that the petitioner has filed this petition for grant of Succession Certificate in her favour. Ex.P.1 is the copy of the death certificate of the deceased K.K.Sivasubramaniam. Ex.P.1 has been filed to show that the deceased K.K.Sivasubramaniam died on 11.03.2023. Ex.P.2 is the computer generated of legal heir certificate of the deceased K.K.Sivasubramaniam. Ex.P.2 shows that the petitioner and the respondent are the Class I legal heirs of the deceased K.K.Sivasubramaniam. Ex.P.3 is the original share certificate issued by Angel One Limited in respect of the shares held by the deceased K.K.Sivasubramaniam. Ex.P.4 is the Paper publication and none objected for the same.



O.P.No.759 of 2023

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6. Considering the averments made in the petition and the documents filed by the petitioner, I am satisfied that the petitioner has succeeded the debts and securities of the deceased K.K.Sivasubramaniam. 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.

22.03.2024

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O.P.No.759 of 2023

N.SATHISH KUMAR, J.

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O.P.No.759 of 2023

22.03.2024

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4/4