



WEB COPY



O.P.No.764 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **09.07.2024**

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

O.P. No. 764 of 2023

1.Charu Madhavan
2.Chithra Madhavan

... Petitioners

PRAYER: Original Petition filed under Section 372 of the Indian Succession Act XXXIX of 1925, read with Order XXV Rule 6 of Original Side Rules to grant succession certificate to the petitioners with power to collect the debts and to receive the interest which is specified in the schedule hereto.

For Petitioners : Mr.S.Prasath
for M/s.Sarvabhauman Associates

ORDER

The petition has been filed under Section 372 of the Indian Succession Act, seeking succession certificate to be issued in the name of both the petitioners with respect to the debts of S.Madhavan, late husband of the 1st petitioner and father of the 2nd petitioner. He died intestate on 02.09.2022.



O.P.No.764 of 2023

2. The nature of the securities had been given in the schedule to the petition which is primarily the balance in the public provident fund account in State Bank of India at Abhiramapuram Branch in the name of S.Madhavan.

3. After following due procedure, the petitioners were directed to tender evidence. Accordingly, the 2nd petitioner examined herself as P.W.1. She marked the death certificate and legal heirship certificate of her father as Exs.P1 and P2. The details relating to the public provident fund account were marked as Ex.P3.

4. Taking into consideration the evidence adduced and documents produced, this Original Petition stands allowed. Succession certificate to be issued in favour of both the petitioners with power to collect the debts and to receive the interest which is specified in the schedule to the Petition on payment of appropriate succession duty, if not paid earlier.

09.07.2024

Index :Yes/No
gsa

Page 2 of 4



O.P.No.764 of 2023

APPENDIX

Petitioners' witness:

P.W.1 – Mrs.Chithra Madhavan

Documents marked:

<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Computer generated death certificate of Mr.S.Madhavan.
Ex.P2	Computer generated legal heir certificate of Mr.S.Madhavan.
Ex.P3	Photocopy of the public provident fund passbook of State Bank of India bearing A/c.No.54008607776 stands in the name of Mr.S.Madhavan (compared with the original).
Ex.P4	Copy of the paper publication effected in one issue of Tamil Dailyi “Maalai Thamizhagam” dated 04.06.2024.
Ex.P5	Certificate under Section 65B of the Indian Evidence Act, 1872 for Exs.P1 and P2.

09.07.2024

gsa



WEB COPY



O.P.No.764 of 2023

C.V.KARTHIKEYAN,J.

Gsa

O.P. No. 764 of 2023

09.07.2024