



O.P.No.727 of 2023

O.P.No.727 of 2023

WEB COPY

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 she is the mother of the deceased Terecita Dorothy.M. The deceased was married to one P.Samuel Justinian and their marriage was dissolved by the Principal District Judge, Thoothukudi vide Order dated 09.01.2024 in I.D.O.P.No.231 of 2023. The petitioner is the sole legal heir of the deceased. The petitioner's brother namely Mr.M.Benjamin, remained bachelor and died on 11.08.2023. The deceased died on 07.11.2018 and the father of the deceased also predeceased her. The deceased died intestate left the amount specified in the Schedule, within the jurisdiction of this Court. The succession certificate is



O.P.No.727 of 2023

required for the purpose of receiving LIC Policy amount, Provident Fund & Saving bank amounts in the name of the petitioner to the value of Rs.32,35,761.01/-. Hence, the petitioner has approached this Court for grant of succession certificate in her favour with power to collect the debts and securities and to receive the interest and dividend on and negotiated and transfer the securities as specified in the schedule.

4. The petitioner was examined as P.W.1 and marked Exs.P1 & P.11. 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 computer generated death certificate of the father of the deceased. Ex.P2 is the certified copy of the judgment and decree in IDOP No.231/2003 dated 09.01.2004. Ex.P4 is the computer generated death certificate of the deceased. Ex.P5 is the computer generated legal heir certificate of the deceased. Ex.P6 is the photocopy of the Aadhar card of the petitioner. Ex.P7 is the computer generated death certificate of the brother of the deceased. Ex.P8 is the photocopy of the LIC Bond in the name of the deceased. Ex.P9 is the photocopy of the passbook bearing A/c



O.P.No.727 of 2023

No.10482129395 of SBI, Palayamkottai Branch standing in the name of the deceased. Ex.P10 is the photocopy of the passbook bearing A/c No.2397101000176 of Canara Bank, Perumalpuram Branch standing in the name of the deceased. Ex.P11 is the copy of paper publication, however, none objected the same.

5. Considering the averments made in the petition as well as the documents, this 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.

06.03.2024

dhk

N.SATHISH KUMAR, J.



WEB COPY



O.P.No.727 of 2023

dhk

O.P.No.727 of 2023

06.03.2024