



O.P.No.843 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 wife of the deceased P.Shanmugam and the second and third petitioners are their sons. The said P.Shanmugam died on 03.08.2019. The petitioners are the class I legal heirs of the deceased P.Shanmugam. 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 second and third petitioners have given consent for issuance of Succession Certificate in favour of the first petitioner and made an endorsement to that effect. The



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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.8,09,088/-. 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.8.

5. P.W.1 in her evidence had narrated the averments made in the petition stating that the petitioners have filed this petition for grant of Succession Certificate in her favour. Ex.P.5 is the copy of the death certificate of the deceased P.Shanmugam. Ex.P.5 has been filed to show that the deceased P.Shanmugam died on 03.08.2019. Ex.P.6 is the computer generated of legal heir certificate of the deceased P.Shanmugam. Ex.P.6 shows that the petitioners are the legal heirs of the deceased P.Shanmugam. Ex.P.7 is the letter sent by KFin Technologies Limited asking for Succession Certificate. Ex.P.8 is the Paper publication 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 and securities of the deceased P.Shanmugam. 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.

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