



O.P.No.25 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 son of the deceased R.Srinivasan and the first respondent is the wife of the deceased and the second respondent is daughter of the deceased. The said R.Srinivasan died intestate on 01.10.2021. The first respondent died during the pendency of this petition. The brother of the petitioner predeceased the deceased on 07.12.2016. The petitioner and the respondent are surviving Class I legal heirs of the deceased. The second respondent has no objection for grant of succession certificate in favour of the petitioner. The deceased R.Srinivasan died intestate and though due and diligent search has been



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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 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.10,21,772/-. Hence, the petitioner has approached this Court for grant of succession certificate in favour of the petitioner with power to collect the debt and to receive interest and to transfer the fixed deposit as specified in the schedule.

4. The petitioner was examined as P.W.1 and marked Exs.P1 to Ex.P.7.

5. P.W.1 in his evidence had narrated the averments made in the petition stating that the petitioner has filed this petition for grant of Succession Certificate in favour of the petitioner. Ex.P.1 is the copy of the post office savings account pass book bearing A/c.No.7309669217 held by the deceased R.Srinivasan. Ex.P.3 is the computer generated death certificate of the deceased R.Srinivasan. Ex.P.3 has been filed to show that



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the deceased R.Srinivasan died on 01.10.2021. Ex.P.4 is the computer generated legal heir certificate of the deceased R.Srinivasan. Ex.P.4 shows that the petitioner and the respondent are the surviving legal heirs of the deceased R.Srinivasan.

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 of the deceased R.Srinivasan. 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 the debt and to receive interest and to transfer the fixed deposit specified in the schedule together with interest as applicable till the date of withdrawal, is issued.

26.02.2024

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