



WEB COPY



O.P.No.223 of 2022

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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 she and the respondents 1 and 2 are the surviving Class-II legal heirs of the deceased Mr.D.James Martin. The deceased Mr.D.James Martin, died on 08.05.2016. The respondents 1 and 2 have given consent and no objection in obtaining the succession certificate in the name of the petitioner. The succession certificate is required for the purpose of claiming debts and to interest specified in the schedule hereunder of the deceased in the Savings Bank Account



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No.34976542384 maintained with the SBI, Egmore Branch to the value of Rs.90,000/-. Hence, the petitioner has approached this Court for grant of succession certificate in favour of the petitioner with power to collect the debts and to receive the interest as specified in the schedule.

4. The petitioner was examined as P.W.1 and marked Ex.P1 to Ex.P.6.

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 favour of the petitioner. Ex.P.1 is the original will dated 02.04.2016 executed by the the deceased Mr.D.James Martin. Ex.P.2 is the computer generated death certificate of the deceased. Ex.P.3 is the photocopy of the savings account in SBI, Egmore Branch bearing Account No.10265206109 held by the deceased. Ex.P4 is the photocopy of the death certificate of Mr.S.Antony Doss. Ex.P4 has been filed to show that the father of the petitioner and the respondents, who is the brother of the deceased had died on 02.05.1990. Ex.P.5 is the copy of the paper



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publication. Despite Ex.P.5 paper publication, none objected and the same is recorded.

6. Considering the averments made in the petition as well as the documents and also of the fact that the respondents have given consent affidavit, 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.

04.01.2024

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