



WEB COPY



O.P. No.317 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.10.2025

CORAM :

THE HONOURABLE MR.JUSTICE P.DHANABAL

O.P. No.317 of 2024

Moses S/o. Rodda Gabriel ... Petitioner

VS.

G. Grace Amma D/o. Rodda Gabriel .. Respondent

PRAYER: Original Petition is filed under Section 372 of the Indian Succession Act of 1925 read with Order XXV Rule 6 of the Original Side Rules praying to grant Succession Certificate to the petitioner with power to collect the debts and to receive the interest and dividends on and negotiate and transfer the securities specified in the Schedule.

For Petitioner : Mr. J. Jagath Ratchagan

ORDER

This petition has been filed by the petitioner praying to grant Succession Certificate under Section 372 of the Indian Succession Act read



O.P. No.317 of 2024

with Order XXV Rule 6 of the Original Side Rules.

WEB COPY

2. According to the petitioner, the deceased G. Solomon is the brother of petitioner and the respondent and he died on 02.02.2021 leaving the petitioner and the respondent behind him as surviving legal heirs. The parents of the deceased predeceased him on 26.08.2007 and 12.06.2015 respectively. The elder unmarried brother of the deceased also predeceased him on 27.10.2017. Therefore, the petitioner and the respondent are the only legal heirs of the assets and in order to withdraw the death benefits of the deceased G. Solomon, the Succession Certificate is necessary. The value of assets, in respect of which the succession certificate is required, is of the value at Rs.3,00,000/-. There are no other next of kin to the deceased. Therefore, the petitioner has filed this petition.

3. After filing of this Original Petition, the petitioner was directed to effect paper publication and the same was also effected. No any objection was received from any party. Thereafter, the matter was posted for

Page No.2 of 7



O.P. No.317 of 2024

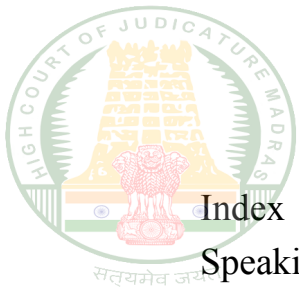
examination of witnesses and the evidence was recorded. On the side of the petitioners, they examined PW1 and marked Ex.P.1 to Ex.P 11.

4. This Court also perused the entire documents including the evidence. On a careful perusal of the evidence of PW1 and the documents Ex.P.1 to Ex.P11, they reveal that the petitioner and the respondent are the legal heirs of the deceased G. Solomon and the deceased died intestate, thereby, the petitioner and the respondent, being the surviving legal heirs, each are equally entitled for the death benefits of the deceased. Therefore, the petitioner is entitled to the Succession Certificate.

5. In view of the same, this Original Petition is ***allowed.*** ***The petitioner is entitled to the value of the assets and*** a direction for grant of Succession Certificate in favour of the petitioner with power to collect the debts, securities and to receive the interest and dividends on and negotiate and transfer the securities specified in the Schedule, as applicable till the date of withdrawal, is issued.

08.10.2025

Page No.3 of 7



O.P. No.317 of 2024

Index : Yes/No

Speaking Order : Yes/No

mjs

WEB COPY

APPENDIX:

List of Petitioner side Witnesses:

PW1 : Mr. G. Moses

List of Petitioner side Documents:

Exhibit No.	Date	Description of Documents
Ex.P.1.	-	Computer generated Death Certificate of Mr. Rodda Gabrial.
Ex.P.2	-	Computer generated Death Certificate of Mrs. Amul Mary.
Ex.P.3		Computer generated Death Certificate of Mr. G. Solomon.
Ex.P.4.		Computer generated Death Certificate of Mr. Sathish.
Ex.P.5		Photocopy of Aadhar card of PW1.
Ex.P.6		Photocopy of Aadhar Card of Mrs. Grace Amma.
Ex.P.7.	05.02.2024	Photocopy of the letter addressed to PW1 by the Executive Engineer, Press, Department of Mechanical Engineering, Greater Chennai Corporation, Chennai-600 079 regarding the



group insurance amount of Mr. G. Solomon.

Ex.P.8	18.05.2021	Photocopy of the letter addressed to PW1 by the Executive Engineer, Press, Department of Mechanical Engineering, Greater Chennai Corporation, Chennai-600 079 regarding the death benefits of Mr. G. Solomon.
Ex.P.9	13.03.2024	Photocopy of the letter addressed to PW1 by the Executive Engineer, Press, Department of Mechanical Engineering, Greater Chennai Corporation, Chennai-600 079 regarding the insurance amount for a sum of Rs.3,00,000/-.
Ex.P.10	-	Certificate under Section 65B of the Indian Evidence Act.
Ex.P.11	18.10.2024	Copy of the paper publication effected in one issue of Tamil daily "Makkal Kural".

08.10.2025



WEB COPY



O.P. No.317 of 2024

P.DHANABAL.,J

mjs

O.P. No.317 of 2024



WEB COPY



O.P. No.317 of 2024

08.10.2025