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O.P.No.536 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.02.2025

CORAM

THE HONOURABLE **MR.JUSTICE K.KUMARESH BABU**
O.P.No.536 of 2024

S.Parvathy

... Petitioner

PRAYER: Original Petition filed for Succession Certificate under Part X Section 372 of the Indian Succession Act, 1925 read with under Order XXV Rule 6 of Original Side Rules, prays to grant a Succession Certificate to the petitioner with the power to collect the debts and to receive the interest specified in the schedule hereto.

For Petitioner : Ms.J.Veena

ORDER

The petitioner seeks Succession Certificate in respect of the securities held by Late A.S.Nagambal, who died intestate on 16.01.2018. The petitioner is the sister in law of the deceased. The deceased was married to one S.Ganapathy and had no issues out of their wedlock. The said S.Ganapathy died after his wife on 27.05.2018. During the lifetime of S.Ganapathy, he has executed a Will dated 29.01.2018 which was probated vide Order dated 22.10.2019 in favour of two people including the



O.P.No.536 of 2024

petitioner.

WEB COPY

2. The petitioner has been examined as PW1. She has produced the death certificates of Late A.S.Nagambal and Late.S.Ganapathy, who is her husband along with certificate U/S 63 of BSA as Ex.P1 and Ex.P3 respectively. The legal heirship certificate of the Late A.S.Nagambal as Ex.P2. A perusal of Ex.P2 shows that Late S.Ganapathy is the only legal heir of the deceased. The probate order has been marked as Ex.P4. A perusal of the Ex.P4, shows that the petitioner and children of the predeceased sister are the surviving legal heirs of S.Ganapathy, who is the husband of the deceased. A paper publication has been made and no objections have been received from other legal heir or anyother person.

3. In view of the above evidence, the Original Petition is allowed granting Succession Certificate in favour of the petitioner, to collect the debts and to receive the interest in respect of the securities mentioned in the schedule to the petition.

06.02.2025

Gba

Index :Yes/No

Speaking: Yes/ No



O.P.No.536 of 2024

Neutral Citation: Yes/No

Petitioner's witness:

P.W.1 — Mrs.S.Parvathy



O.P.No.536 of 2024

Documents exhibited by the petitioner:

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<i>Exhibits</i>	<i>Documents</i>
Ex.P1	Printout of the Death Certificate of A.S.Nagambal dated 16.01.2018 (Certificate under Section 63 of BSA produced.)
Ex.P2	Legal Heirship certificate of A.S.Nagambal
Ex.P3	Printout of the Death Certificate of S.Ganapathy dated 27.05.2018 (Certificate under Section 63 of BSA produced).
Ex.P4	Certified copy of Order Probation Certificate in O.P.No.793 of 2018 passed by this Court dated 22.10.2019.
Ex.P5	Indian Bank Pass Book Mannady Branch bearing savings Bank Account No.460683821 of deceased A.S.Nagambal.
Ex.P6	Post office monthly income scheme in Ayanavaram Branch pass book bearing Account No.20918128 of deceased A.S.Nagambal.
Ex.P7	Post office 5 years time deposit in ICF colony branch pass book bearing account No.233079 of deceased A.S.Nagambal.
Ex.P8	Post office monthly income Scheme in Ayanavaram Branch Pass Book bearing Account No.20917976 of deceased A.S.Nagambal.
Ex.P9	Post office monthly Income Scheme in Ayanavaram Branch Pass Book bearing Account No.20917955 of deceased A.S.Nagambal.
Ex.P10	Post office 1 year Time deposit in Ayanavaram Branch Pass Book bearing Account No.14084 of deceased A.S.Nagambal.
Ex.P11	Post office savings Account in Ayanavaram Branch Pass Book bearing Account No.774255 of deceased A.S.Nagambal.
Ex.P12	Post office monthly income Scheme in Ayanavaram Branch pass book bearing Account No.16759 of deceased A.S.Nagambal.
Ex.P13	Post office 3 years time deposit Scheme in Chennai GPO Branch Pass Book bearing Account No.201452 of deceased A.S.Nagambal.



O.P.No.536 of 2024

<i>Exhibits</i>	<i>Documents</i>
Ex.P14	Post Office Kisan Vikas Pathra Scheme in Ayanavaram Branch bearing Account No.13CD417200 to 13CD417204 of deceased A.S.Nagambal.
Ex.P15	Post office Kisan Vikas Pathra Scheme in Ayanavaram Branch bearing Account No.13CD417070 to 13CD417074 of deceased A.S.Nagambal.
Ex.P16	Post office Kisan Vikas Pathra Scheme in Ayanavaram Branch bearing Account No.13CD417065 to 13CD417069 of deceased A.S.Nagambal
Ex.P17	Post office Kisan Vikas Pathra Scheme in Ayanavaram Branch bearing Account No.13CD417205 to 13CD417209 of deceased A.S.Nagambal
Ex.P18	Post Office Kisan Vikas Pathra Scheme in Anna Raod, HPO Branch bearing Account No.06CD838632 of deceased A.S.Nagambal
Ex.P19	Post office Kisan Vikas Pathra Scheme in Ayanavaram Branch bearing Account No.06CD978436 of deceased A.S.Nagambal
Ex.P20	Post office Kisan Vikas Pathra Scheme in Ayanavaram Branch bearing Account No.06CD921604 of deceased A.S.Nagambal
Ex.P21	Photocopy of the Aadhaar Card of Parvathy Radhakrishnan (Compared with original)

06.02.2025

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WEB COPY



O.P.No.536 of 2024

K.KUMARESH BABU,J.

Gba

O.P.No.536 of 2024

06.02.2025