

**IN THE COURT OF SUBORDINATE JUDGE, GUDIYATTAM,
VELLORE DISTRICT.**

**Present:- Thiru.P.Sundararajan, LL.M.,
Subordinate Judge,
Gudiyattam.**

Tuesday, the 5th day of November 2019

S.O.P.No.1/2019

**1.Munivel
2.Kasi**

..... Petitioners

//VERSUS//

NIL

..... Respondent

This Petition came up before me for final hearing on 30.09.2019 in the presence of **Thiru.K.Moganaraju and Thiru.M.Senthil Kumar**, Counsels for the Petitioners, paper publication effected and general notice by beat of tom tom effected, no objectors and on perusal of case records and hearing the arguments of petitioner side and upon having stood over for consideration, this court delivers the following;-

ORDER

Petition filed under Section 372 of Indian Succession Act to grant succession certificate in favour of the petitioners declaring that the petitioners are the sole legal heirs of deceased and empowering them to realize the compensation amount of Manickkammal for a sum of Rs.3,00,000/- as detailed in the petition.

2). THE BRIEF AVERMENTS OF THE PETITION IS AS FOLLOWS:-

One Manickkammal, sister of the petitioners' mother was died on 02.11.2018 leaving behind the petitioners as her legal heirs to succeed her estate. The above said Manickkammal died as a spinster. The petitioners thus succeeded the properties of deceased Manickkammal and enjoying the same. The Kallapadi Village Panchayat also given death certificate of deceased Manickkammal and the Tahsildar Gudiyattam also given Legal heir certificate of deceased Manickkammal stating that the petitioners are the sole legal heirs of deceased Manickkammal. The above said Manickkammal was employed as Meal Assistant (சத்துணவு உதவியாளர்) in K.Valasai School. The above said Manickkammal died during her service and hence the petitioners being her legal heirs are entitled for compensation of Rs.3,00,000/- for which they need Succession Certificate. The Commissioner, Block Development Office, Gudiyattam has also issued a letter for the same. Hence the petitioners have been constrained to file this petition to grant succession certificate in favour of the petitioners declaring that the petitioners are the sole legal heirs of deceased and empowering them to realize the compensation amount of Manickkammal for a sum of Rs.3,00,000/- as detailed in the petition.

3). Paper publication effected and general notice by beat of tom tom effected with regard to the above Succession Original Petition. But no objectors come forward to object for issuing succession certificate to the petitioners.

4).POINT FOR CONSIDERATION:-

Whether petitioners are entitled for the relief as prayed for ?

5).On the side of the petitioners, PW1 was examined and Ex.P1 to Ex.P4 were marked.

6).POINT :-

The learned counsel who appears for the petitioners would submit that one Manickkammal, the sister of petitioners' mother was died on 02.11.2018 as a spinster leaving behind the petitioners as her legal heirs to succeed her estates. The said Manickkammal was employed as Meal Assistant in K.Valasi school and she died during her service hence the petitioners being her legal heirs are entitled to receive the compensation amount of Rs.3,00,000/- of Manickkammal lying in BDO Office account for which they need the succession certificate.

7). Materials on record perused and considered. The sister of the mother of the petitioners Manickkammal has died on 02.11.2018 at Valasai, Kallapadi village, Gudiyattam, Vellore District. The death certificate of deceased Manickkammal has been marked as Ex.P1. Ex.P2 is the relationship certificate issued by the Tahsildar, Gudiyattam on 28.01.2019 wherein it has been mentioned that the petitioners are the sons of sister of the deceased Manickkammal. Ex.P3 is the letter issued by the Commissioner of Panchayat Union, Gudiyattam wherein it has been mentioned that the deceased Manickkammal was working as Noon-meal Assistant and died on 02.11.2018 during her service and the family benefit fund of a sum of Rs.3,00,000/- has to be disbursed to her legal heirs. The petitioners have stated that the said Manickkammal has died as spinster and she has no 1st class legal heirs and further stated that the petitioners are the sons of the sister of the deceased Manickkammal. General notice by way of beat of tom tom and paper publication was issued to that effect and

Dictated to the Steno Typist, computerized by her directly, corrected and pronounced by me in the Open Court, on this the 5th day of November 2019.

LIST OF WITNESSES ON THE SIDE OF THE PETITIONER:-

LIST OF EXHIBITS ON THE SIDE OF THE PETITIONER:-

Ex P1 19.11.2018 Online Death certificate of Manickkammal

Ex.P2 28.01.2019 Relationship certificate of Manickkammal

Ex.P3	01.03.2019	Original letter issued by the Commissioner, Block Development Office, Gudiyattam
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Ex.P4	Xerox copy of aadhar card of the petitioners (compared with the original)
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**Subordinate Judge,
Gudiyattam.**