

**IN THE COURT OF THE I SENIOR CIVIL JUDGE: CITY CIVIL COURT:
AT HYDERABAD**

**PRESENT:- Smt. M. KIRAN MAHI, BL., LL.M.,
I SENIOR CIVIL JUDGE,**

WEDNESDAY, THE 5th DAY OF JULY, 2023

SOP.NO. 118 of 2022

Between:

Master Shrawan Narne, S/o.Late.Narne Ashwin,
Aged About 7 Years, Minor,
Plot No. 105 and 106,
R/o..Flat No.505, Vyjayanth Sonnets,
Jubilee Gardens, Kondapur,
K.V.Ranga Reddy District, Telangana-500084

Rep. By His Natural Guardian Mother
Smt.Nirupama Cherukuri,
W/O.Late.Narne Ashwin, Hindu,
R/O.Flat No.505, Plot No.105 And 106,
Vyjayanth Sonnets,
Jubilee Gardens, Kondapur,
K.V.Ranga Reddy District, Telangana-500084.

... Petitioner

And

1). State Bank Of India,
Rep. By Its Branch Manager,
Plot No. 225, Road No.17,
Jubilee Hills Check Post,
Hyderabad-500033. Telangana State.

2) All Concerned.

... Respondents

This Petition is coming on 23.06.2023 before me for final hearing and disposal in the presence of Sri. A. John Dharmendra, Counsel for the Petitioner and Respondent no.1 remained exparte and none appeared for all concerned/R2 though paper publication is ordered and the matter having stood over for consideration till this day, this Court passed the following:

ORDER

This Petition is filed under section 372 of Indian Succession Act for grant of Succession Certificate in favour of the petitioner in respect of petition schedule property.

2. Brief averments of the petition are that, Late Narne Ashwin got married to the petitioner and they were blessed with petitioner and petitioner since a minor is being represented by his mother Smt. Nirupa Cherukuri @ Narne as is natural guardian. Grand mother of the petitioner Smt. Narne Parvathy (herein after referred to as deceased) and her husband Late Anoop Kumar died intestate on 2.3.2018 and 20.9.2020 respectively and thereafter the father of petitioner died intestate on 03.12.2020. The deceased had Savings Bank account with respondent no.1 bank and an amount of Rs.19,534/- was lying with respondent no.1 bank and respondent no. 1 bank directed them to obtain Succession Certificate as there is no nominee. The deceased died intestate leaving behind petitioner and his father as her only surviving legal heirs as her husband predeceased her. Petitioner being the only surviving legal heir of the deceased is entitled to receive the petition schedule amount. Hence, the petition.

3. Respondent no. 1 having received notice reported no objection. Further, a publication was given and no objections are received from the third

parties/respondent no.2.

4. During the course of enquiry, the mother of petitioner is examined as Pw.1 and Exs.P-1 to P-6 are marked. On the other hand, no oral evidence is adduced and no document is marked on behalf of the respondents.

5. Heard and perused the record.

6. Now the point for determination is

1. *Whether the Petitioner is entitled for grant of Succession Certificate as prayed for ?*

2. *To what relief ?*

7. **Point No.1:** The mother of petitioner got herself examined as Pw.1 and this witness in her chief evidence affidavit reiterated the petition averments. To substantiate her plea she got marked Exs.P1 to P6. She being the mother and natural guardian of petitioner deposed in terms of petitioner. Ex.P1 is the death certificate of grand father of petitioner, Ex.P2 is the death certificate of the grand mother of petitioner, Ex.P3 is the death certificate of father of petitioner, Exs.P4 and P5 are the down loaded Aadhar Cards of Pw.1 and petitioner respectively which establishes the relationship between petitioner and the deceased and also his identity, Ex.P6 is the statement issued

by respondent no. 1 bank wherein an amount of Rs.19,534/- was lying to the credit of the account of the deceased with respondent no.1 bank. Petitioner since is found to be the only successor of the deceased is entitled to receive the petition schedule amount.

8. The evidence of Pw.1 in corroboration with Exs.P1 to P6 establishes the plea of petitioner. Further, inspite of issuance of paper publication, no objections are received from the third parties. Hence, this Court is of the view that petitioner is entitled for Succession Certificate. Accordingly, this point is answered.

9. **Point No.2:** In the result, the petition is allowed. Issue Succession Certificate in favour of petitioner in respect of petition schedule property along with accrued interest on proper identification and under proper acknowledgement subject to payment of requisite court fee. Petitioner no.1 shall pay the requisite court fee for issuing succession certificate. In the circumstances of the case, there is no order as to costs.

Dictated to Personal Assistant, transcribed and typed by him, corrected and pronounced by me in the open Court on this the 5th day of July, 2023.

Sd/-
I SENIOR CIVIL JUDGE
CITY CIVIL COURT, HYDERABAD

APPENDIX OF EVIDENCE
WITNESSES EXAMINED

FOR PETITIONER:

Pw.1: Nirupama Cherukuri,

FOR RESPONDENTS:

Exparte

DOCUMENTS MARKED

For Petitioners:

Ex.P1 is Death Certificate of Late Narne Anoop Kumar Dt.26-09-2022 issued by Registrar Births and Death, GHMC

Ex.P2 is Death Certificate of deceased Narne Parvathy Dt.26-09-2022 issued by Registrar Births and Death, GHMC

Ex.P3 is Death Certificate of Late Narne Ashwin, Dt.26-09-2022 issued by Registrar Births and Death, GHMC

Ex.P4 is Downloaded Aadhaar Card of Smt. Nirupama Cherukuri

Ex.P5 is Downloaded Aadhaar Card of Petitioner

Ex.P6 is Statement of Account No.52012870689 of Mrs. Parvathy Narne Dt. 16-09-2022 issued by Respondent No.1.

For Respondents: Nil

Sd/-

I SENIOR CIVIL JUDGE
CITY CIVIL COURT, HYDERABAD.