

IN THE COURT OF SENIOR CIVIL JUDGE AT RAJAM

Present : **Sri M. Babu,**
Senior Civil Judge,
Rajam.

Monday, this the 20th day of March, 2023.

SUCCESSION ORIGINAL PETITION No.08/2022

Between :

1. Ponnada Bhavani, W/o Late Pram Naidu, aged 56 years, Hindu, Domestic, resident at Door No.21-153, ADarsa nagar, Near Satya Saibaba mandir, Rajam Town and Mandal, Vizianagaram District.
2. Vana Hima Bindu, W/o Ramana, aged 33 years, Hindu, Domestic, resident at D.No.1-83, Main street, Yenduva village and Post, G.Sigadam Mandal, Srikakulam District.
3. Ponnada @ Allu Byhavani, W/o Satya Rama Krishna, aged 29 years, Hindu, Domestic, resident at D.No.4-16, Main street, Narasimhapuram village, Yenduva Post, G.Sigadam mandal, Srikakulam District.
4. Ponnada Puja, D/o Late Pram Naidu, aged 26 years, Hindu, Domestic, resident at Door No.21-153, Adarsa Nagar, Near Satya Saibaba Mandir, Rajam town and Mandal, Vizianagaram District.

...Petitioners.

And :

-NIL-

... Respondents.

This petition is coming on 17.03.2023 before me for hearing in the presence of **Sri Ch.Shyam Prasad**, Ld. Council for petitioners and there is no respondents and the matter having stood over for consideration till this day and this Court made the following:

:: O R D E R ::

1. This is a petition filed by the petitioners under section 372 of Indian Succession Act prays to grant Succession Certificate to petitioners and to recognize the petitioners are class-1 legal representatives of the deceased Ponnada Param Naidu and they are entitle to receive the amount of value of shares purchased for the Ponnada param Naidu shown in the petition schedule.

2. The case of the petitioners is as follows:

The first petitioner is the wife and petitioners 2 to 4 are married daughters of one deceased Ponnada Param Naidu, S/o late Sanyasappalanaidu. The said Ponnada Param Naidu died on 12.02.2022 with ill health. The deceased Ponnada Param Naidu doing job in Jindal Steel and Power Industry, Raigarh, Chattishgarh State. After his retirement he was residing at Rajam. The said Param Naidu purchased sale shop SHCIL service company limited Service in Raigarh in Chattishgarh State. The value of the above said sale of Rs.3,14,566.40/-. The said amount is lying in National Security Deposits Limited, at Pune. The above said amount is belonging to the petitioners as Class-1 legal heir of deceased Ponnada Param Naidu. The petitioners requested to pay the above said amount to concerned authorities. Then the concerned authorities directed to the petitioners to submit Succession Certificate along with other necessary papers before them. Hence, the petitioners file this petition for issuing succession certificate is in their vaour and declared the petitioners as legal heirs of the deceased Ponnada Param Naidu, S/o late Sanyasappalanaidu of Rajam Mandal, Vizianagram district.

3. There is no respondent to this petition.

4) During the course of enquiry, one Ponnada Bhavani who is the wife of deceased Param Naidu examined as P.W.1, got marked Ex.S A1 to A8.

5) Heard on the petitioner side.

6) Now the point for consideration is:

Whether the petitioner is entitle for Succession Certificate as prayed for?

7) **POINT:**

To prove the claim, the first petitioner by name Ponnada Bhavani herself examined as P.W.1, got marked Ex.s P1 to P8. Ex.P1 is the Attested copy of share papers of SHCIL Service Limited, Navi Mumbai purchased by deceased Ponnada param Naidu; Ex.P2 is the Copy of Death register extract of Ponnada Param Naidu; Ex.P3 is the copy of family certificate issued by Tahsildar, Rajam; Ex.P4 is the Original Aadhar Card of deceased Ponnada Param Naidu; Ex.A5 is the original Aadhar card of first petitioner; Ex.A6 is the original Aadhar card of 2nd petitioner; Ex.A7 is the original Aadhar card of third petitioner and Ex.A8 is the original Aadhar card of fourth petitioner.

8) Perused the record. Considering the material placed on record and the oral evidence of P.W.1 coupled with Exs.P.1 to P8 documents proves that the petitioners 1 to 4 are the wife and daughters of the deceased Ponnada Param Naidu. The deceased Ponnada Param Naidu while he was in service purchased share shop SHCIL Service company limited, the value of the above said share of Rs.3,14,566.40 Ps and the said amount is lying in the National Security Deposits Limited, Pune and the said fact was evidenced under Ex.P1. After the death of said Param Naidu, his wife and his daughters are the only legal heirs to the deceased.

9. On perusal of the evidence of P.W.1, it further reveals that, in her chief affidavit evidence, she herself admitted that herself along with petitioners 2 to 4 are the only legal heirs of the deceased Param Naidu as wife and daughters of him. To prove the said fact, P.W.1 filed Ex.s P3 to P8. It is also an admitted fact that the husband of P.W.1 died after his retirement under Ex.P2. Therefore, all the documents proves that the petitioners are the wife and

daughters of the deceased Param Naidu, while he was in service he purchased sale shop SHCIL Service company Limited, when he was in service in Raigarh in Chattishgarh State, the value of the above said sale of Rs.3,14,566.40 which is lying in NSDL, Pune. Therefore, the petitioners are the legal heirs of the deceased Paramnaidu and they are entitle to obtain issuance of succession certificate. P.W.1 testimony was unchallenged. Therefore, the above evidence of P.W.1 coupled with Ex.P.1 to P8 proves that the petitioners are the legal heirs of deceased and so they are entitle for issuance of succession certificate in their favour. This court holds that the petitioners are able to establish their claim in the petition and as such, the petitioners are entitled to get succession certificate. Accordingly, the point is answered.

10) In the result, the petition is allowed. Issue Succession Certificate in favour of the petitioners 1 to 4, declaring that they are the class-1 legal representatives of the deceased Ponnada Param Naidu and they are entitle to receive the amount of Rs.3,14,566.40/- in respect of petition schedule, purchased for the Ponnada Param Naidu on payment of necessary charges.

Typed to my dictation, by the Stenographer, Gr.III, corrected and pronounced by me in open Court, this the 20th day of March, 2023.

**SENIOR CIVIL JUDGE,
RAJAM.**

APPENDIX OF EVIDENCE
Witnesses Examined

For Petitioner :

P.W.1: 17.03.2023: Ponnada Bhavani

For Respondents : --NIL—

Documents Marked

For Petitioner :

Ex.P1: Attested copy of share papers of SHCIL Service Limited, Navi Mumbai purchased by deceased Ponnada param Naidu

Ex.P2: Copy of Death register extract of Ponnada Param Naidu

Ex.P3: Copy of family certificate issued by Tahsildar, Rajam

Ex.P4: Original Aadhar Card of deceased Ponnada Param Naidu

Ex.A5: Original Aadhar card of first petitioner

Ex.A6: Original Aadhar card of 2nd petitioner

Ex.A7: Original Aadhar card of third petitioner

Ex.A8: Original Aadhar card of fourth petitioner.

For Respondents : -

--NIL--

**SENIOR CIVIL JUDGE,
RAJAM**