



## **Succession Certificate**

If a person dies without leaving a Will, a Succession Certificate can be obtained from the court to realize movable properties like debts and securities of the deceased and to give valid discharge.

**Features:** A succession certificate is issued by a civil court to the legal heirs of a deceased person. It establishes the authenticity of the heirs and gives them the authority to have securities and other assets transferred in their names as well as inherit debts. It is issued as per the applicable laws of inheritance on an application made by a beneficiary to a court of competent jurisdiction.

**Application:** A person requiring the Succession Certificate needs to file an application with the district court or high court within whose jurisdiction the asset is located.

**Details:** The name and relationship of the person requiring this certificate, names of all heirs of the deceased, details about the time, date and place of death should be mentioned in the application. A copy of the death certificate has to be produced.

**Process:** The court typically issues a notice in the newspapers for a given period (generally 45 days). If no one contests the petition on the expiry of this period, the court passes an order for issuance of succession certificate.

**Fees:** The court levies a fixed percentage of the value of the estate as fee for issuance of the certificate.

### **Points to note**

- The court fee has to be paid in the form of judicial stamp papers of the required amount, after which the certificate is typed, duly signed and delivered.
- The certificate takes about 3-4 months from date of filing to receive your certificate.
- A succession certificate is necessary, but not always sufficient, to release the assets of the deceased. For these, a death certificate, letter of administration and no-objection certificates will be needed.

## **Legal Heirship Certificate**

If the head or a member of the family expires, the next direct legal heir of the deceased such as the wife or husband or son or daughter or mother may apply for legal-heirship certificate on application for the purpose of transferring Electricity connection, House Tax, Telephone connection/patta transfer, Bank Account, etc. If the person who died is a Government servant, legal heir certificate is issued for sanction of family pension, and for getting appointment on compassionate grounds.

**Features:**

- A legal heir certificate is issued by the government for those individuals whose parent/husband is dead without leaving a Will.
- To establish relationship for claims relating to Insurance, pension, retirement benefits or service benefits of central and state government departments, Government undertakings etc.
- In legal succession cases to get succession certificate to establish the relationship
- To get employments for example compassionate appointments.
- Approach the District Thasildar office with the death certificate, identity card, ration card and produce the prescribed application form.
- Based on the report of the Village Administrative Officer and Revenue Inspector and after due enquiry, this certificate is issued by the Tahsildar mentioning the names of all legal heirs of the deceased.
- It will take around a month to process all the necessary information and receive the certificate.