



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(TESTAMENTARY AND INTESTATE JURISDICTION)

FRIDAY, THE 08TH DAY OF APRIL 2022

THE HON'BLE MR. JUSTICE P.VELMURUGAN

O.P.No.789 of 2021

In the matter of the Indian
Succession Act, XXXIX
of 1925

and

In the matter of debts of
Venkatraya Chetty Died
intestate

1. A.RANGAIAH CHETTY
S/o.Sreeramulu Chetty,
Old No.99, New No.86,
Varada Muthaiyappan Street,
George Town,
Chennai - 600 001.

2. PUSHPAVALLI THAYAR
W/o.Chakradharam,
No.13A, Dr.Radhakrishnan Street,
Tirutani,
Tiruvallur - 631 209.

3. A.VANI
W/o.Renganath,
8/232, Gandhi Road 4,
Arakonam,
Vellore - 631 001.



4. A.PANCAJANYA
S/o.Lakshmana Chetty,
59, Thatha Muthaiappan Street,
Minerway, Chennai - 600 001.

..Petitioners

Original Petition praying that this Hon'ble Court be pleased that a Succession Certificate may be granted to the petitioners with the power to collect the debts and to receive the interest as specified in the schedule in the petition.

This Original Petition coming on this day before this court for hearing the court made the following order:

This Original petition has been filed to grant succession certificate to the petitioners with power to collect the debts and to receive interest as specified in the schedule.

2. According to the petitioners, the deceased Mr.Venkatraya Chetty originally resided within the jurisdiction of this Court and he died on 11th January 2011 at Nichani Health Center, 10 Arthoon Road, Royapuram, Chennai. The deceased died intestate and that due and diligent search has been made for Will but none has been found. The abovesaid deceased Mr.Venkatraya Chetty left the petitioners as his legal heirs. Venkatraya



had two sons viz., A.Sree Ramulu Chetty and A.Lakshmana Chetty. The wife of the deceased Mr.Venkatraya Chetty predeceased him. Sons viz., A.Sree Ramulu Chetty and A.Lakshmana Chetty of the deceased died on 07.05.2013 and 07.10.2020 respectively. Legal heirs of deceased son Sree Ramulu Chetty are Malleswari, Sudharsan Chetty and Pushpavallithayar and A.Rangaiah Chetty. Malleswari and Sudharsan Chetty died on 24.07.2018 and 23.10.2018 respectively. Pushpavallithayar and A.Rangaiah Chetty are the first and second petitioner herein. Legal heirs of A.Lakshmana Chetty are A.Panchajanya and A.Vani, who are the third and fourth petitioners herein. Legal heir of Sudharsan Chetty is his wife Jahnvi, who has remarried to one S.P.Lavakumar on 06.12.2020 and after the demise of her husband Sudharsana Chetty, she has left behind all the rights and legal heirship to her brother-in-law Rangaiah Chetty. Sudharsana Chetty has no issues.

3. The details of the securities for which the Succession Certificate is sought for is furnished in the schedule to the petition and its value is Rs.7,54,841/- according to the petitioners. Mr.Rangaiah Chetty, son of Sreeramulu Chetty, the first petitioner herein has deposed before the learned Master in support of this petition for succession certificate. He has deposed on behalf of the second, third and fourth petitioners also, who are the legal



documents were marked as Exhibits.

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4. An averment has also been made in the petition that no application has been made to the District Court or delegate or to any High Court for Probate of any Will of the deceased or Letters of Administration with or without the Will annexed to his properties and credits. No application for Succession Certificate in respect of any debts or security belonging to the estate of the deceased has been made to any District Court or delegate or to any High Court.

<i>Exhibits</i>	<i>Nature of the documents</i>
P1	Death Certificate of Venkatraya Chetty
P2	Photo copy of the Legal Heirship Certificate dated 17.02.2012 in respect of Venkatraya Chetty
P3	Death Certificate of A.Navaneethamma
P4	Photo copy of the Legal Heirship Certificate dated 12.04.2013 in respect of A.Navaneethamma
P 5	Death Certificate of A.Sree Ramulu Chetty
P6	Photo copy of the Legal Heirship Certificate dated 07.10.2013 in respect of A.Sree Ramulu Chetty
P7	Death Certificate of A.Malleswari
P8	Legal Heirship Certificate dated 06.07.2019 in respect of A.Malleswari
P9	Death Certificate of A.Lakshmana Chetty
P10	Legal Heirship Certificate dated 06.01.2021 in respect of A.Lakshmana Chetty
P11	Death Certificate of A.Sudharsan Chetty



<i>Exhibits</i>	<i>Nature of the documents</i>
P12	Legal Heirship Certificate dated 02.03.2019 in respect of A.Sudharsan Chetty
P13	Photocopy of the Marriage Certificate dated 18.12.2020
P14	Photocopy of PPF account passbook standing in the name of A.Venkataraya Chetty
P15	Photocopies of the Aadhaar cards of all the petitioners
P16	Copy of paper publication effected in one issue of Tamil daily “Dina Kural” dated 16.02.2022

5. This Court has perused and examined the aforementioned documents. As seen from the death certificate marked as Ex.P1, Venkatraya Chetty died on 11.01.2011. As seen from the Legal Heir ship certificates marked as Exs.P2,4,6,8,10 and 12, the petitioners are the Legal Heirs of the deceased Venkatraya Chetty. Ex.P14 is the Photocopy of PPF account passbook standing in the name of A.Venkatraya Chetty. Ex.P16 is the paper publication effected by the petitioner, pursuant to the directions given by this Court.

6. After giving due consideration to the averments contained in the petition as well as the Exhibits marked on the side of the petitioners, this Court is of the considered view that the relief of succession certificate sought for by the petitioner in OP No.789 of 2021 has to be granted.



pay the requisite succession duty, if any, before obtaining the Succession Certificate.

Sd/.P.V.J.
08.04.2022

//Certified to be a true copy//

Dated at Madras this the day of 2022.

SU/22.04.2022

COURT OFFICER(O.S.)

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