

SHEPHALI

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISCELLANEOUS PETITION (L) NO. 2145 OF 2015**

Hema Santhanagopalan	...Petitioner
<i>And</i>	
Kalyanam Santhana Gopalan Iyer alias K. Santhana Gopalan	...Deceased

Ms. Ashwini Reddy, *for the Petitioner.*

**CORAM: G.S. PATEL, J
DATED: 7th July 2016**

PC:-

1. Accepted. The Petitioner is the widow of the deceased. They had three sons. Their names are shown in paragraph 5. All three sons have consented. Hence, proclamation is dispensed with. The Petition is taken up forthwith for hearing and final disposal.

2. The Petitioner seeks a Legal Heirship Certificate under Section 2 of Bombay Regulation VIII of 1827 in respect of one Kalyanam Santhana Gopalan Iyer alias K. Santhana Gopalan, who is said to have died intestate in Mumbai, where he was ordinarily resident, on 22nd March 2013. A copy of his death certificate is annexed. The deceased was survived by his widow and three sons. The sons' names are mentioned in paragraph 5 of the Petition. The parents of the deceased died before he did. There are no other heirs.

3. The Legal Heirship Certificate is required for the purposes of transmission or transfer of the deceased's residential flat at Shrirangam, Tamil Nadu.

4. All the heirs have granted consent. No other Petition for a heirship certificate, succession certificate, probate or letters of administration with or without will annexed has been filed. There is no impediment to the grant of relief.

5. The petition is made absolute in terms of prayer clause (a), which reads thus:

“(a) that the Legal Heirship Certificate thereby certifying the Petitioner Smt. Hema Santhana Gopalan and other legal heirs mentioned herein as recognised legal heirs and representatives of the deceased be granted to the Petitioner in respect of the “Scheduled property” viz. a dwelling house situated in Tiruchirappalli District, Srirangam Sub-Registration District, Srirangam Taluk, Melur Village, Akilandeswari Nagar, Srirangam Municipal Ward I, known as Akhilandeswari Gardens, bearing Block No. 4, T.S. No. 1301/1, Ac. 2.57 Cents, in this T.S. No. 1301/1B2 Part, Ac. 1.27 Cents.”

6. All concerned to act on an authenticated copy of this order.

(G. S. PATEL, J.)