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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY & INTESTATE JURISDICTION
REVIEW PETITION NO. 1 OF 2016
IN
TESTAMENTARY PETITION NO. 59 OF 2014**

Mariamamma Thomas & Anr.	...Petitioners
<i>Versus</i>	
T.M. Abraham & 3 Others	...Defendants

Mr. Jacob Thomas, *for the Petitioner.*
Mr. Tejas Vora, *Amicus Curae, is present.*

CORAM: G.S. PATEL, J
DATED: 5th April 2016

PC:-

1. It is only because the Review Petitioner appears in person that I have shown him some additional latitude.
2. On the earlier occasion, at my request, Mr. Vora, learned Advocate, agreed to assist the Court in this Review Petition on the limited question of ascertaining whether this Court could possibly be said to have jurisdiction to entertain the Petition for Letters of Administration with Will Annexed.
3. Mr. Vora has prepared written submissions. He tenders these. I have gone through them. They are comprehensive,

meticulous, fair, balanced and just. In my view, by any measure, Mr. Vora's assistance is exceptional and well above and beyond the call of duty. I must record my appreciation for Mr. Vora's assistance in this matter. I am taking his submissions on record. They are marked "X" for identification.

4. On a very close reading of the papers and a careful analysis of the issues, Mr. Vora has submitted that it is impossible to see how this Court in its testamentary jurisdiction could possibly entertain this Petition. Nothing relevant to the testamentary jurisdiction has taken place or exists within the jurisdiction of this Court. The mere fact that the Defendants and the Plaintiff reside here is irrelevant. Mr. Vora quite correctly points out that under Section 270 of the Indian Succession Act, 1925 this Court cannot possibly entertain this Petition. The Testator never lived in Mumbai. He died in Kerala. His Will was made in Kerala. All the properties mentioned in that Will are outside the jurisdiction of this Court. All the movables mentioned in the Petition are only in the nature of the civil claim by the Petitioners and the Defendants.

5. There is no error apparent on the face of the record. Even otherwise, there is no ground made out for review. The Review Petition is dismissed.

6. It is however made clear that this Review Petition is entirely without prejudice to the right of the Petitioners/Plaintiffs to file a regular suit against the Defendants in a civil Court, if so advised.

(G. S. PATEL, J.)