

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
***TESTAMENTARY AND INTESTATE JURISDICTION***  
**MISC. PETITION NO. 133 OF 2018**

**Alimuthu Gopal**

**..... Deceased**

**Anand Alimuthu Gopal**

**..... Petitioner**

Ms.Neelam Jadhav for the Petitioner.

**CORAM : R.D. DHANUKA, J.**

**DATE : 10<sup>th</sup> DECEMBER, 2018**

**P.C.**

By this petition filed under section 2 of the Bombay Regulation Act VIII of 1827, the petitioner who is son of the deceased late Mr.Alimuthu Gopal has prayed for issuance of the legal heirship certificate. The said deceased died on 10<sup>th</sup> November, 2008. A true copy of the death certificate is annexed at Ex.A to the petition.

2. In paragraph (6) of the petition, the names of all the legal heirs and next-of-kin of the said deceased are setout. Out of the five legal heirs, the petitioner who is son of the said deceased has filed this petition. The remaining four legal heirs have filed consent affidavits which are annexed to the petition giving their free consent in favour of the petitioner for grant of the legal heirship certificate without justifying the surety of their shares. The consent affidavits are taken on record. The statements made in the petition are accepted. Proclamation is dispensed with.

3. The petitioner has made out a case for grant of legal heirship

certificate as prayed.

4. Misc. Petition is accordingly made absolute in terms of prayer clause (a). No order as to costs.

**[R.D. DHANUKA, J.]**