

Sharayu Khot.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION

MISCELLANEOUS PETITION NO. 188 OF 2021

K.R. Shriram

...Petitioner

And

Devika Rajendran wife of late Kalpathi
Kittu Rajendran

...Deceased

CORAM : R.I. CHAGLA J

DATE : 10 December 2021

ORDER :

1. Matter is not on board. Taken onboard.
2. Accepted. Proclamation is dispensed with.
3. By the present Petition, the Petitioner seeks a Legal Heirship Certificate certifying that the legal heirs mentioned in paragraph 4 of the Petition are the only legal heirs and legal representatives of the deceased abovenamed be issued.

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4. The Legal Heirship Certificate is sought under Section 2 of Bombay Regulation VIII of 1827 in respect of the deceased Devika Rajendran, who expired in Mumbai on 25th September 2021. A copy of her death certificate is annexed to the Petition at Exh.A.

5. The deceased was survived by the Petitioner who is the deceased's son and two married daughters. The particulars of the legal heirs are mentioned in the tabular form at paragraph 4 of the Petition. The husband of the deceased predeceased the deceased. There are no other legal heirs of the deceased other than those mentioned in the tabular form at paragraph 4 of the Petition.

6. It is stated that the Legal Heirship Certificate is required for the purpose of filing income tax returns of the deceased and that has been recently informed by the Chartered Accountant of the deceased to the Petitioner.

7. The other heirs of the deceased viz. her married daughters Kanchana Narayanan and Padmaja Venkatesh had

filed their Consent Affidavits dated 8th December 2021 and 7th December 2021 respectively. By the Consent Affidavits, they have given their full and free consent in favour of the Petitioner for being granted the Legal Heirship Certificate.

8. 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 in the present Petition.

9. The Petition is made absolute in terms of prayer clause (A), which reads thus:-

“(A) Legal Heirship Certificate certifying that the legal heirs mentioned in paragraph 4 to the Petition are the only legal heirs and legal representatives of the Deceased abovenamed be issued.”

10. Miscellaneous Petition is disposed of.

11. No order as to costs.

12. All concerned will act on production of a digitally signed copy of this order.

[R.I. CHAGLA J.]