

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISCELLANEOUS PETITION NO.232 OF 2022**

Devaki Amma w/o. Madhavan Nair

... Deceased

Prema Nair w/o R. K. Narayan Nair

... Petitioner

Ms. Sharmila V. Pawar for the Petitioner.

CORAM : ARIF S. DOCTOR, J.

DATE : 12TH DECEMBER 2022

P.C. :

1. The Petitioner seeks the grant of a Legal Heirship Certificate under the provisions of Section 2 of the Bombay Regulation VIII of 1827 in respect of one Devaki Amma (“the deceased”), who is said to have died intestate in Mumbai on 15/11/2020. A copy of the death certificate of the deceased is also annexed to the Miscellaneous Petition. The said deceased is stated to have been the resident of Mumbai.

2. The Legal Heirship Certificate is required for the purpose of producing the same before the bank authorities, viz., Canara Bank having its address at NPT Campus Pollachi, Canara Bank, NPT Campus Udumalpet Road, Pollachi, Tamil Nadu – 642003, IFSC Code No.CNRB0016139, Saving Bank

Account No.61392030001090 for claiming the balance amount lying with the said bank.

3. The said deceased left behind her the following persons as her only heirs and next of kin according to the Hindu Succession Act, 1956, who are residing at the following address :-

Sr. No.	Names and address of the heirs and next of kin of the deceased abovenamed	Age	Relationship with the deceased
1	Prema Nair w/o R. K. Narayan Nair C/o. R. K. Narayan, A/301, Sea Crown, Charkop, Om Sankalp C. H. S. Ltd., Sector-8, Charkop, Kandivali (West), Mumbai 400 067.	68	Married Daughter (Petitioner)
2.	Hemalatha Sasidharan W/o Sasidharan 17/82, Kesavapuram, Thiruvattar, Kanniyakumari, Tamil Nadu – 629177.	65	Married Daughter

4. No other Petition for Legal Heirship Certificate, Succession Certificate, Probate or Letters of Administration with or without Will annexed has been filed. Therefore, there is no impediment in law to the grant of relief. The consent affidavit of the legal heir is also placed on record.

5. The Miscellaneous Petition is therefore made absolute in terms of prayer clause (A) of the Miscellaneous Petition, which reads as under :-

“(A) That the Legal Heirship Certificate may be granted to the Petitioner certifying that (1) Prema Nair w/o R. K. Narayan Nair (married daughter and Petitioner) & (2) Mrs. Hemalatha Sasidharan w/o Sasidharan (Married daughter) are the legal heirs and representatives of the said deceased under the Provisions of the Bombay Regulation Act VIII of 1827; ”

6. The Registry shall issue the Legal Heirship Certificate in the standard format prescribed for the same.

7. Miscellaneous Petition is accordingly disposed of. There shall be no order as to costs.

8. All concerned to act on the authenticated copy of this order.

(ARIF S. DOCTOR, J.)