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

MISCELLANEOUS PETITION NO.176 OF 2021

Vinayak Ravindra Chenna

...Petitioner

Versus

Meera Ravindra Chenna

...Deceased

Ravi V. Chidurala for the Petitioner.

CORAM : R.I. CHAGLA J.

DATE : 16TH JUNE, 2022

ORDER :

1. By the present Petition, the Petitioner seeks a Legal Heirship Certificate under Section 2 of the Bombay Regulation Act VIII of 1827 in respect of the deceased Meera Ravindra Chenna who expired at Mumbai on 27th July, 2020. A copy of the death certificate is also annexed at Exhibit A to the Petition. The deceased was survived by the Petitioner who is the only heir and next of kin of the deceased. The Petitioner's father has pre-deceased the deceased. The particulars of the Petitioner who is legal heir of the deceased are mentioned in tabular form at paragraph 4. Save and except the legal

heir mentioned in the tabular form at paragraph 4 the deceased left no other legal heirs and next of kins.

2. It is stated that Legal Heirship Certificate is required to be produced by the Petitioner before the concerned authorities as well as other entities for the purpose of proving himself as legal heir of the deceased. The two properties belonging to the deceased are mentioned in paragraph XI to the Petition. It is further stated that there is a demand notice of property tax issued by the Mumbai Municipal Corporation and for which the Petitioner also requires the Legal Heirship Certificate.

3. Considering that the Petitioner is the only surviving legal heir of the deceased, there is no question of consent of any other heirs being required in the present case.

4. No other Petition for Legal Heirship Certificate, Succession Certificate, Probate or Letters of Administration with or without will annexed has been filed. Therefore, I do not find any impediment in granting the reliefs sought for in the present Petition.

5. In the circumstances, the Miscellaneous Petition is accepted and made absolute in terms of prayer Clause (a), which reads as under:

“(a) That this Hon’ble Court be pleased to issue a Legal Heirship Certificate to the Petitioner under the provisions of Bombay Regulation VIII of 1827 certifying that the Petitioner mentioned in paragraph 4 is the only legal heir and the only legal representatives of the deceased (Late) Meera Ravindra Chenna.”

6. Proclamation is dispensed with.

7. Miscellaneous Petition is accordingly disposed of. No order as to costs.

[R.I. CHAGLA J.]