

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY & INTESTATE JURISDICTION**

MISCELLANEOUS PETITION NO.223 OF 2022

1. Shylaja Valsan

2. Vysakh Pillai

.. Petitioners

E.V. Sree Valsan @ E.V. Sree Valsan Pillai

.. Deceased

Ms. Bhakti Popat for the Petitioners.

CORAM : VALMIKI SA MENEZES, J.

DATE : 17TH NOVEMBER, 2022.

P.C. :

1. By this petition, the petitioners seek issuance of Legal Heirship Certificate, under Section 2 of the Bombay Regulation VIII of 1872, in respect of Late E.V. Sree Valsan @ E.V. Sree Valsan Pillai, who is said to have died intestate on 29th January 2022. A copy of his Death Certificate is annexed as Exhibit-A (page 17) to the petition. It is further stated that the place of abode of the deceased is at Andheri (East), Mumbai.

2. The petitioners are the wife and son of the deceased, stated to be the sole heirs to the estate of the deceased, as stated in para 4 of the petition. It is stated that there are no competing heirs to the estate of the deceased. Accordingly, proclamation is dispensed with.

3. The petitioners have produced on record their own Aadhaar Cards, which are annexed as Exhibits “E” and “G” (pages 21 and 23) to the petition, and that of the deceased, annexed at Exhibit-C (page 19) to the petition. The petitioners state in para 7 of the petition that they seek grant of Legal Heirship Certificate in their favour for the purpose of recording their heirship to the properties listed in “Schedule No.I”, annexed as Exhibit-H to the petition, in which estate the deceased had interest.

4. Considering the statements made in the petition and the documents produced on record, I find no impediment in granting Legal Heirship Certificate to the petitioners. Accordingly, the petition is made absolute in terms of prayer clause (a), which reads thus :-

“(a). That this Hon’ble Court be pleased to grant the Heirship Certificate in favour of the petitioners and heirs mentioned at para 4 in the form of Annexure B of Bombay Regulation Act VIII of 1827.”

5. Registry to act upon this order and issue Legal Heirship Certificate to the petitioners.

6. Miscellaneous Petition is disposed of in the above terms.

[VALMIKI SA MENEZES, J.]