

Sharayu Khot.

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

MISCELLANEOUS PETITION NO. 227 OF 2022

Rajesh Natarajan

...Petitioner

And

Smt. Rajarajeshwari Natarajan

...Deceased

Mr. Laxman Kanal i/by Laxman Kanal & Asso. for the Petitioner.

CORAM : R.I. CHAGLA J

DATE : 09 November 2022

ORDER :

1. By the present Petition, the Petitioner seeks a Legal Heirship Certificate under Section 2 of Bombay Regulation VIII of 1827 in respect of the deceased Smt. Rajarajeshwari Natarajan, who expired in Mumbai on 4th July 2012. A copy of her death certificate is annexed at Exh.A to the Petition.

2. The deceased was survived by the Petitioner who is the son of the deceased and by the husband of the deceased. The particulars of the legal heirs of the deceased are set out in the tabular

form at paragraph 4 of the Petition.

3. Save and except, the legal heirs mentioned therein, there are no other legal heirs surviving the deceased.

4. It is stated that the Legal Heirship Certificate is required for declaration of the Petitioner as the legal heir of the deceased.

5. The other legal heir of the deceased, i.e. husband of the deceased has filed consent Affidavit dated 23rd July 2022 by which full and free consent has been given for the Legal Heirship Certificate to be granted to the Petitioner without service of proclamation upon him and without justifying surety for his share in the estate of the deceased.

6. No other Petition for 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.

7. The Petition is accepted and made absolute in terms of

prayer clause (a), which reads thus:-

“(a) 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 para no. 4 herein above are the only heir and legal representative of the deceased.”

8. Proclamation dispensed with.
9. Miscellaneous Petition is disposed of.
10. No order as to costs.

[R.I. CHAGLA J.]