

Ajay

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

MISC. PETITION NO. 335 OF 2023

T. B. Subramanian alias
Thirumalaikolundupuram
Bhaskara Subramanian alias
Tirumalai Bhaskar Subramanian alias
Subramanium .. Deceased

Bhaskar Subramanian s/o Tirumalai Bhaskar
Subramanian .. Petitioner

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- Mr. Laukik Palekar i/by Tejas Deshpande, Advocate for Petitioner.
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CORAM : MILIND N. JADHAV, J.

DATE : AUGUST 09, 2023.

P.C.:

- 1.** Not on Board. Mentioned. Taken on Board.
- 2.** Heard Mr. Palekar, learned Advocate for Petitioner.
- 3.** Perused the praecipe dated 08.07.2023 and Misc. Petition.
- 4.** This Misc. Petition seeks issuance of Legal Heirship Certificate under Section 2 of the Bombay Regulation VIII of 1827 in respect of deceased T. B. Subramanian alias Thirumalaikolundupuram Bhaskara Subramanian alias Tirumalai Bhaskar Subramanian alias Subramanium who expired on 25.12.2020. Petition is filed by the son and the sole surviving legal heir of the deceased. Averments are to the effect that parents and wife of the deceased have predeceased him.

Death certificate of the wife is appended at Exhibit “B” to the Petition. It is further averred that deceased had two sons out of whom Petitioner is one of them whereas second son expired as a bachelor on 22.11.2002 and his death certificate is also appended at Exhibit “C” to the Petition. Purpose for filing the present Petition is stated in paragraph Nos.5 and 6 of the Petition.

5. On the basis of the averments made in the Misc. Petition, there can be no impediment in allowing the present Misc. Petition. Hence, Misc. Petition stands allowed in terms of prayer clause (a) which reads thus:-

“(a) This Hon’ble Court be pleased to issue a Legal Heirship Certificate in favour of the petitioner under provisions of Bombay Regulation VIII of 1827 certifying that the petitioner, is the sole heir and legal representative of the deceased.”

6. Issuance of proclamation, if any, stands dispensed with.

7. Testamentary Department is directed to issue the grant to the Petitioner within a period of six weeks from today, subject to all requisite compliances in accordance with law.

8. Misc. Petition is disposed.

[MILIND N. JADHAV, J.]

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