

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

MISC. PETITION NO. 79 OF 2024

Punithem Gangadharan Pillay ...Petitioner

Gangadharan S. Pillai ...Deceased

Ms. Rashmi Majweklar, i/b Ms. Bhagyashree T. Bosale, for
the Petitioner.

**CORAM: N. J. JAMADAR, J.
DATED: 25th JULY, 2024**

PC:-

1. Heard the learned Counsel for the petitioner.
2. This petition is filed for grant of heirship certificate under Section 2 of the Bombay Regulation VIII of 1827.
3. Gangadharan S. Pillai (the deceased) was the husband of the petitioner. The deceased passed away on 9th June, 2018. At the time of his death, the deceased had a fixed place of abode at B-504, Bhushan Park, View CHS, Padma Nagar, Chikuwadi, Borivali (W), Mumbai.
4. In the petition, it is averred that the deceased died intestate and despite diligent search no testamentary writing or Will has been found. The deceased left behind the petitioner and Vishwanathan Gangadharan Pillai, their sons, as the only surviving Class-I legal heir of the deceased. The

heirship certificate is required to lay claim over the property described in the Schedule of Securities (page 23).

5. I have perused the averments in the petition. The documents annexed to the petition lend support to the averments in the petition. The petitioner and Vishwanathan, her son, appear to be the only surviving Class-I heirs of the deceased. Vishwanathan has filed an affidavit giving consent for grant of heirship certificate. I do not find any impediment in granting the heirship certificate.

6. The petition stands allowed in terms of prayer clause (a), which reads as under:

“(a) This Hon’ble Court be pleased to issue a Legal Heirship Certificate to the petitioner under the provisions of Bombay Regulation VII of 1827 certifying that the Petitioner alongwith heir mentioned in paragraph no.4 herein above as recognized as the only heirs and legal representative of the deceased.”

7. Issue of proclamation is dispensed with.

8. The grant of heirship certificate is expedited.

[N. J. JAMADAR, J.]