

BEFORE : MRS. R. V. RANE
COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR
DATE: 18th December, 2024

CALLED FOR DIRECTION :

Sr. No. 81 - TP-5889-2024

None present for parties.

1. Perused Petition. This petition is for Succession Certificate in respect of certain **Securities** belonging to the deceased no. (1) viz. Seethamani Natarajan alias Natarajan, who died at Mumbai on 20.01.1992. Copy of death certificate is annexed at Exhibit- 'A' to the petition.

And Deceased no. (2) viz. Ayakad Subramanian alias A. S. Natarajan, who died at Tamilnadu on 14.02.2017. Copy of death certificate is annexed at Exhibit- 'B' to the petition. Copy of identification proof of the deceased no. 2 is annexed at Exhibit – 'B' to the petition. As no identification proof is available, Advocate for petitioner has filed Affidavit dated 27.10.2023 for dispensing the identification proof of the both deceased. **Advocate for petitioner is directed to delete the word "Shares and" in cause title of the petition.**

2. Upon perusal of petition, it is noticed that the deceased no. 1 the said Deceased No.1 at the time of her death was residing at 202, lyoti Apartment, 2nd floor, V. P. Road, Mulund (W), Mumbai -400080 left property within Greater Mumbai in the State of Maharashtra and elsewhere in India.

Upon Perusal of the petition, it is noticed that the said Deceased No.2 at the time of his death was residing at 18/13, Chengam Road, III RD MAIN ST, TIRUVANNAMALAI, SRI RAMANASARAM POST, Tamilnadu and, had left Shares within greater Mumbai in the state of Maharashtra and elsewhere in India.

"The Hon'ble Court (CORAM : Hon'ble Shri Manish Pitale J.) on 29th September, 2023 passed direction in TP No. 233 of 2022 in which the Hon'ble Court decided the issue of jurisdiction under Section 371 of Indian Succession Act and decided the Jurisdiction of this Hon'ble Court." In view of the order dated 29th September, 2023, the present petition proceed further.

3. Upon perusal of petition, it is noticed that the legal heirs left behind both the deceased surviving as their only heirs next-of-kin according to Hindu Succession Act, 1956 are mentioned in para no. 5 of the said petition.
4. Upon perusal of petition, it is noticed that the both deceased died intestate and that due and diligent search has been made for Will but none has been found.
5. Upon perusal of petition, it is noticed that no application has been made to any District Court or District Delegate or to any High Court for Probate of any Will of the said deceased or for Letters of Administration will or without Will annexed to his property and credits or any petition for Succession Certificate.
6. In the aforesaid circumstances, I pass the following order:

ORDER

- a. Office to Issue General Notice within four weeks from the date of uploading of this order.
- b. Advocate for the petitioner to file Affidavit of Service of General Notice and also effect service upon non-consenting legal heirs, if any as per Rules 399 and 400 of the Bombay High Court Original Side Rules and also justify surety of non-consenting legal heirs and furnish Administration Bond within one week thereafter.
- c. Office to verify if any cross petition is filed, if cross petition is filed, then take steps to place before the Hon'ble Court under Rule 407 of High Court Original Side Rules.
- d. List the matter on 05th February, 2025 for compliance.

18.12.2024

Ajay

COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR