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

MISCELLANEOUS PETITION NO. 589 OF 2024

Sharad Madhavan Puthiyaveetil ... Petitioner
And
Puthiyaveetil Madhavan ... Deceased

Mr. K.P.P. Nair i/b. Mrs. Asha Nair, for Petitioner.

CORAM: N.J.JAMADAR, J.
DATE : DECEMBER 04, 2024

P.C.

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. Puthiyaveetil Madhavan (Deceased) was the father of the petitioner. The deceased passed away on 19th December, 2010. At the time of his death, the deceased had a fixed place of abode at Flat No.3, Rajmayur Building, 19th Road, Khar (West), Mumbai-400 052.
4. The petitioner avers that the deceased died intestate, and despite diligent search, no testamentary writing or Will has been found.
5. The deceased left behind the petitioner and Husna Prashanthan, a daughter, the particulars of whom are furnished at Serial No. 1 in the table at paragraph No. 4. Shailaja Madhavan, the wife of the deceased predeceased him on 5th January, 1995. Copy of the death certificate is

annexed at Exhibit C.

6. The heirship certificate is required to lay claim over the property described in paragraph No. 6 of the petition. The documents annexed to the petition lend support to the claim of the petitioner. The petitioner and Husna Prashanthan, the daughter appear to be the surviving Class I legal heirs of the deceased. Shailaja Madhavan, the wife, has predeceased the deceased. Husna Prashanthan has filed affidavit giving her consent for grant of heirship certificate. Thus, I do not find any impediment in granting heirship certificate.

Hence, the following order :

ORDER

- (i) The Petition stands allowed in terms of prayer clause (a).
- (ii) Issue of proclamation is dispensed with.
- (iii) Grant expedited.

(N.J.JAMADAR, J.)