

**BEFORE : MRS. R. V. RANE ,
COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR
Date: 24th February, 2025**

CALLED FOR COMPLIANCE :

42 TP/4592/2024 (E-filing)

Mr. Murleedharan KC, Advocate for petitioner

PC : 1. Perused Petition. Heard Ld. Advocate for petitioner. Advocate for petitioner submits that the present petition is for Succession Certificate in respect of certain Securities belonging to the deceased No. 1 namely Raghavan Unnikrishna Pillai alias R. U. Pillai alias Dr. R. U. Pillai who died at Mumbai on 25.09.2005. Copy of death certificate is annexed at Exhibit- 'A' to the petition. Copy of identification proof of the deceased no. 1 is annexed at Exhibit – 'B' to the petition.

Deceased No. 2 namely Kanakath Prasanna Pillai alias K Prasanna Pillai alias K. P. Pillai alias Prasanna Pillai, who died at Delhi on 20.09.2021. Copy of death certificate is annexed at Exhibit- 'C' to the petition. Copy of identification proof of the deceased no. 2 is annexed at Exhibit – 'D' to the petition.

2. Advocate for petitioner submits that the both the deceased ordinarily resides at Flat No. 6/25, Laxmi Colony, R C Marg, Chembur, Near Ashish Theatre, Mumbai-400074 and/or left their property within Greater Bombay and in the and in the state of Maharashtra and elsewhere in India.

3. Ld. Advocate for petitioner submits that the said deceased died intestate and that due and diligent search has been made for the Will but none has been found.

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4. Ld. Advocate for petitioner submits that both the deceased left behind them only legal heirs shown in the paragraph No. 4 of the petition, as per the provisions of the Hindu Succession Act, 1956.

5. Ld. Advocate for petitioner submits that parents of both the deceased predeceased to them. Both the deceased husband and wife. Deceased had no son and was survived by two daughters namely Geeta Unnikrishnan who is petitioner and another daughter namely Lata Raghunathan Nair. Save and except there are no other legal heirs and next of kind left by the deceased, which is mentioned at para no. 4 of the petition.

Ld. Advocate for petitioner further submits that Consent Affidavit of Lata Raghunathan Nair dated 21.06.2024 is filed and she has given her consent in favour of petitioner namely Geeta Unnikrishnan. The said consent Affidavits are annexed to the petition at page Nos. 24 to 29.

6. Ld. Advocate for Petitioner submits that petitioner being daughter of deceased claims to be entitled for $\frac{1}{2}$ share in the estate left by the deceased.

7. Ld. Advocate for petitioner submits that, there is no impediment under Section 370 of the Indian Succession Act, 1925 or under any other provision of this Act or any other enactment to the grant of the certificate of the validity thereof if it was granted.

8. Ld. Advocate for petitioner submits 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 with or without the Will for annexed to their property and credits.

9. Ld. Advocate for petitioner submits that no application has been made to any District Court for Succession Certificate in respect of any3

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debt or security belonging to the estate of the deceased.

10. Ld. Advocate for the petitioner submits that delay may be condoned in the interest of justice. In view thereof, delay is condoned.

11. Advocate for the petitioner submits that the General Notice was issued on 05.10.2024 in the aforesaid matter. Advocate for the petitioner submits that Affidavit of Service dated 24.10.2024 for proving the service of General Notice filed through e-filing. Administration Bond dated 17.02.2025 is filed separately through e-filing.

12. This petition is filed for grant of Succession Certificate in respect to the securities which was mentioned in Schedule-I which is annexed to the petition. The petitioner has complied all the necessary compliance for grant of the Succession Certificate in favor of the petitioner. Hence, facts stated by petitioner, on oath, remained unchallenged and required to be accepted. Accordingly, petition deserves to be allowed, as prayed for. Hence, following order :

ORDER

- 1) Petition is allowed and the Succession Certificate be granted to the petitioner for certain securities left by the deceased and shown in the Schedule-I, in prescribed format.
- 2) Before issuance of the grant, the office to verify whether any cross Petition is pending or Affidavit resisting the petition is filed.
- 3) The petitioner to file an account as undertaken in the Administration Bond within stipulated period. Necessary endorsement be made on the Administration Bond, subject to satisfaction of the Department.

24.02.2025

**COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR**

