

**BEFORE : MRS. R. V. RANE
COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR
DATE: 15th February, 2025**

CALLED FOR COMPLIANCE :

Sr. No. 10 – TP / 5880 / 2024 (E-filing)

Ms. Shrishtry Punjabi i/b. M/s. VM Legal, Advocate for petitioner.

1. Perused Petition. Heard Ld. Advocate for petitioner. This petition is for Succession Certificate in respect of certain **Debts and Securities** belonging to the deceased viz. Ippili Venkata Appa Rao, who died at Srikakulam, Andhra Pradesh, on 09.01.2008. Copy of death certificate is annexed at Exhibit- 'A' to the petition. Copy of Identification proof of deceased is already annexed at Exhibit- 'A1' to the petition.

2. Advocate for the petitioner submits that the deceased at the time of his death had place of abode at Gajula Street, Near Muthyalamma Temple, Srikakulam, Andhra Pradesh 532001 and left properties within the territory of 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. 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.

4. Advocate for petitioner submits that the legal heirs left behind by the deceased surviving as **his** only heirs next-of-kin according to **Hindu Succession Act, 1956** are mentioned in para no. 5 of the said petition.

5. Advocate for the petitioner submits that parents and grandparents of the deceased predeceased the deceased. Advocate for petitioner submits that at the time of death, deceased was survived by his Widow, and two sons. Wife of deceased viz. Ippili Krishna Appa Rao, who since deceased on 11.11.2021 and both sons viz. Sudheer Babu Ippili and Serat Babu Ippili, who are petitioners herein. Save and except there are no other legal heirs and next of kind left by the deceased, which is mentioned at para no. 6 of the petition.

6. Advocate for Petitioner submits that the petitioners herein are the sons and only surviving legal heirs of the deceased. The petitioners being the sons of the deceased claim to be entitled to the complete share of the estate/ property of the deceased equally 50 % shares each.

7. 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. 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. Advocate for petitioner submits that no application has been made to any District Court for Succession Certificate in respect of any debt or security belonging to the estate of the deceased.

10. Advocate for the petitioner submits that the General Notice was issued on 09.01.2025 in the aforesaid matter. Advocate for the petitioner submits that Affidavit of Service dated 11.02.2025 is filed by Office of the Deputy Sheriff, Bombay online.

“Pursuant to order dated 02.02.2024 passed by Hon’ble Shri Justice Manish Pitale, in Testamentary Petition No. 2918 of 2023, directions was given to the Registry in case of all the surviving legal heirs of the deceased are petitioners before the Court and the right or interest of no other legal heir is required to be protected, the department shall not insist on furnishing Administration Bond.”
Hence, Administration Bond is dispensed with.

11 Advocate for petitioner submits that the Petitioners have recently traced out the shares standing in the name of the Deceased and so there is a delay in filing this Petition. The Petitioners became aware about the shares somewhere in around January 2024 only and after the death of their Mother Mrs. Ippili Krishna Apparao. The Petitioners are citizens of United Kingdom and United States of America respectively and are presently in Mumbai for signing the present petition. In view thereof, delay is condoned.

12. This petition is filed for grant of Succession Certificate in respect

to the **Debts and Securities** which was mentioned in Schedule-1 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 **Debts and Securities** left by the deceased and shown in the schedule, 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) Office to issue Succession Certificate Expeditiously.

15.02.2025

Ajay

**COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR**