

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

MISCELLANEOUS PETITION NO.138 OF 2025

A.H. Dakshinamurthy Hariharan Iyer ... Deceased

Thirupurasundari Dakshinamurthy ... Petitioner

Ms. Nikita Suresh Kamble for the Petitioner.

CORAM : ARIF S. DOCTOR, J.

DATE : 25TH MARCH 2025

P.C. :

Digitally
signed by
MUGDHA
MANOJ
PARANJAPE
Date:
2025.03.25
18:48:30
+0530

1. The Petitioner seeks the grant of a Legal Heirship Certificate under the provisions of Section 2 of the Bombay Regulation VIII of 1827 in respect of one A.H. Dakshinamurthy Hariharan Iyer ('the deceased'), who died at Mumbai on 26th June 2024. A copy of the death certificate is annexed to the Miscellaneous Petition. It is stated that despite due and diligent search, no Will of the deceased has been found. It is therefore assumed that the deceased died intestate.

2. The deceased left behind him surviving as his only heirs and next of kin according to Hindu Succession Act, 1956, the persons mentioned in the table in paragraph 4 of the Petition.

3. The reason for which the Legal Heirship Certificate is required is set out in paragraph 11 of the Miscellaneous Petition.

4. The other legal heirs of the deceased have filed consent affidavits, which are annexed to the Petition.

5. The Petition has been duly verified by the Registry and the same is numbered. No other Petition for Legal Heirship Certificate, Succession Certificate, Probate or Letters of Administration with or without Will annexed has been filed. Therefore, there is no impediment in law to the grant of relief.

6. I have heard the learned Counsel appearing on behalf of the Petitioner as well as perused the said Petition. I find that the same is in order and deserves to be allowed in the interest of justice.

7. The Miscellaneous Petition is therefore allowed in terms of prayer clause (a), which reads as under :-

“a) The Hon'ble Court may be pleased to grant the Certificate of Legal Heirship to-
1. Thirupurasundari Dakshinamurthy- Wife (Widow)
2. Mahalakshmi Dakshinamurthy (Daughter) and

3. Satyanarayan Dakshinamurthy (Son)

certifying that the Petitioner along with all the heirs mentioned above be recognized as heirs and legal representatives of the deceased A.H. Dakshinamurthy Hariharan Iyer, under the provisions of Section 2 of Bombay Regulation Act VIII of 1827."

8. The Registry shall issue the Legal Heirship Certificate in the standard format prescribed for the same. Issuance of proclamation is dispensed with.

9. The Miscellaneous Petition is accordingly disposed of.

(ARIF S. DOCTOR, J.)