

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISC PETITION NO.87 OF 2025**

Gunaraj Ponnuthurai

...Petitioner

Deivrakkam Ponnuthurai Son Of Ponnaiah

Deivrakkam Alias D Ponnuthurai

...Deceased

Ms Jyoti Badgujar i/b Lakdawala & Co. for Petitioner.

CORAM : ARIF S. DOCTOR, J.

DATED : 5th MARCH 2025

P.C. :

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 Deivrakkam Ponnuthurai Son Of Ponnaiah Deivrakkam Alias D Ponnuthurai (the deceased) at Navi Mumbai, Thane on or about the 30th May 2013. 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 Petitioner is the sole legal heir and next of kin according to Indian Succession Act, 1925.

3 The reason for which the Legal Heirship Certificate is required is set out in paragraph 6 of the Miscellaneous Petition.

4 The Petition has been duly verified by the Registry. 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.

5 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.

6 The Miscellaneous Petition is therefore allowed in terms of prayer clause (b) which reads as under :-

“(b)That a Legal Heirship Certificate be granted in favour of Petitioner certifying him as legal heir / representative of the said Deceased under the Provision of Bombay Regulation Act, VIII of 1827.”

7 The Registry shall issue the Legal Heirship Certificate in the standard format prescribed for the same.

8 The Miscellaneous Petition is accordingly disposed of.

(ARIF S. DOCTOR, J.)