

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISCELLANEOUS PETITION NO. 176 OF 2025**

Aarti Kanagasabapathy Pillai & Ors

...Petitioners

Kanagasabapathy Sundaram Pillai & Anr.

...Deceased

Ms. Nisha Mehra for the Petitioners.

CORAM : ARIF S. DOCTOR, J.

DATE : 02nd APRIL, 2025

P.C. :

1. The Petitioners seek the grant of a Legal Heirship Certificate under the provisions of Section 2 of the Bombay Regulation VIII of 1827 in respect of Kanagasabapathy Sundaram Pillai and Chitra Kanagasabapathy Pillai (‘the deceased’), who died at Mumbai on 11.12.2024 and 04.08.2022 respectively. Copy of the death certificates are 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 them surviving the Petitioners as their only heirs and next of kin according to Hindu Succession Act, 1956.

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

5. The Registry has duly verified the Petition. 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 Petitioners 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) and (b) which read as under :-

- “ a. This Hon’ble Court be pleased to condone the delay in filing present Petition*
- b. That a Legal Heirship Certificate be issued under the provision of Bombay Regulation Act VIII of 1827, certifying that the Petitioners are the only heirs and legal representatives of the said deceased no 1 Shri Kanagasabapathy Sundaram Pillai & deceased no 2 Smt Chitra Kanagasabapathy Pillai”*

8. The Registry shall issue the Legal Heirship Certificate in the standard format prescribed for the same, subject to all compliance of office requisitions.

9. The Miscellaneous Petition is accordingly disposed of. There shall be no order as to costs.

(ARIF S. DOCTOR, J.)