

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

MISCELLANEOUS PETITION NO.187 OF 2025

Sivarama Devadas Pillai alias S. Devadasan

Pillai S/o Bhageerathi Amma alias Dr. Devadas

Pillai S/o Sivarama Pillai ... Deceased

Venugopal Devadas Pillai & Ors. ... Petitioners

Mr. Deep K. Morabia (through VC) for the Petitioners.

CORAM : ARIF S. DOCTOR, J.

DATE : 03RD APRIL 2025

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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 one Sivarama Devadas Pillai ('the deceased'), who died at Mumbai on 30th January 2022. 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 8 of the Miscellaneous Petition.

4. As all the Petitioners are the legal heirs of the deceased, the question of filing consent affidavit does not arise.

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 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 clauses (a) and (b), which read as under :-

“ (a) The Hon'ble Court be pleased to issue a Legal Heirship Certificate to the Petitioners under the provision of Bombay Regulation VIII of 1827 certifying that the following persons (i) Mr. Venugopal Devadas Pillai; (ii) Ms. Veena Devadas Pillai and (iii) Mrs. Rajani Devadas Pillai; are the only surviving legal heirs of the Deceased, as mentioned in Paragraph No.4 of the Petition;

(b) That issuance of Proclamation be dispensed with”

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

9. The Miscellaneous Petition is accordingly disposed of.

(ARIF S. DOCTOR, J.)