

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

MISCELLANEOUS PETITION NO.188 OF 2025

P. Kumara @ P.K. Raghavan Pillai ... Deceased

Anil Raghavan Pillai & Anr. ... Petitioners

Mrs. Asha P. Nair for the Petitioners.

CORAM : ARIF S. DOCTOR, J.

DATE : 03RD 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 one P. Kumara @ P.K. Raghavan Pillai ('the deceased'), who died at Bhayander, Dist. Thane on 5th September 2008. 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 Petitioners are the only legal heirs of the deceased according to Hindu Succession Act, 1956.

3. The reason for which the Legal Heirship Certificate is required is set out in paragraph 7 of the Miscellaneous Petition.

4. As all the Petitioners are the only legal heirs of the deceased, the question of filing any 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 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 clauses (a) and (b), which read as under :-

“(a) That a Legal Heirship Certificate be issued Certifying that the Legal heirs mentioned in Para 4 viz. (i) Anil Raghavan Pillai, (son of deceased); and (ii) Ajit Raghavan Pillai, (son of deceased) are the only heirs and legal representative of the

said deceased under the Provision of Bombay Regulation Act, Act, VIII of 1827.

(b) That this Hon 'ble Court be pleased to dispense with the issuance of proclamation"

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.)