

Ajay

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY & INTESTATE JURISDICTION

MISCELLANEOUS PETITION NO. 629 OF 2025

Augusteen Chelliah Nadar .. Deceased

Ganapushpam Nadar .. Petitioner

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- Ms. Rashmi Parmar, Advocate for Petitioner.
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CORAM : MILIND N. JADHAV, J.

DATE : SEPTEMBER 20, 2025.

P.C.:

- 1.** Heard Ms. Parmar, learned Advocate for Petitioner.
- 2.** Present Misc. Petition is filed by Petitioner for issuance of legal heirship certificate under Section 2 of Bombay Regulation VIII of 1827 in respect of the properties and credits of deceased Augusteen Chelliah Nadar. The names and details of legal heirs of the deceased are stated in paragraph No. 4 of the Petition. Purpose for filing the present Petition is stated in paragraph No. 9 of the Petition. I have perused the same.
- 3.** Consent affidavit dated 16.07.2025 of Jabamani Chelliah Muttaiya Nadar, the legal heirs are filed on record and appended at page No. 32 of Petition. Ganapushpam Nadar being the mother a natural guardian of minor son namely Master Nadar Nathan Augusteen has filed aforementioned consent affidavit on his behalf as well.

4. In view of the above, there can be no impediment in allowing the Petition. Misc. Petition is allowed and disposed of in terms of prayer clauses 'a' and 'b' which read thus:-

- “a) That a Legal Heirship Certificate be issued under the provision of Bombay Regulation Act VIII o 1827 Certifying that Ganapushpam Nadar (Wife of the deceased and the Petitioner herein) and Master Nathan Augusteen (Minor Son of the deceased), are the only heir and Legal representative of the deceased.*
- b) That issuance of Proclamation be dispensed with.”*

5. Issuance of proclamation stands dispensed with.

6. Department is directed to issue the legal heirship certificate as directed above within a period of 3 weeks from today positively.

7. Department shall forthwith refund the excess Court fees paid by Petitioner of Rs.65,000/- within a period of one week from date of submission of details of bank account of Petitioner to Department unflinchingly.

8. Misc. Petition is allowed and disposed subject to compliance of office objections, if any, forthwith which shall be allowed by the Department.

[MILIND N. JADHAV, J.]

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