

HARSHADA H. SAWANT
(P.A.)

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

MISCELLANEOUS PETITION NO.647 OF 2025

Usha Kannan Widow Of Kannan Veeraraghavan .. Deceased

Aditya Raghavan son of
Kannan Raghavan .. Petitioner

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- Ms. Jyoti Badgujar, Advocate i/by Lakdawala and Co. for the Petitioner.
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CORAM : MILIND N. JADHAV, J.

DATE : SEPTEMBER 08, 2025

P.C.:

- 1.** Not on Board. Mentioned. Taken on Board.
- 2.** Heard Ms. Badgujar, learned Advocate for the Petitioner.
- 3.** Perused the praecipe dated 08.09.2025 and Petition.
- 4.** This Petition seeks issuance of legal heirship certificate under section 2 of the Bombay Regulation Act, VIII of 1827 in respect of property belonging to deceased Usha Kannan widow of Kannan Veeraraghavan who expired on 21.12.2024, death certificate of whom is appended at Exhibit-C to the Petition. Averments in the Petition are to the effect that she is survived by her son – Mr. Murali Kannan and one grandson – Mr. Aditya Raghavan in respect of whom the legal heirship certificate is being sought. Averments in paragraph Nos.4 to and 6 are to the effect that besides the aforesaid two legal heirs there

are no other legal heirs in respect of whom the heirship certificates can be granted.

5. In paragraph No.4, Petitioner has stated that one Mrs. Renu Raghavan widow of predeceased son of the deceased is alive but in view of provisions of Section 15 read with Section 16 of Hindu Succession Act, 1956 in respect of General Rules of Succession in case of female Hindus and order of succession and manner of distribution among heirs of a female Hindu which are been followed she will not be entitled to be declared as heir.

6. I have perused the provisions of Sections 15 and 16 of the Hindu Succession Act, 1956 and in view of averments made in paragraph Nos.4 and 5 of the Petition, there can be no impediment in granting heirship certificate in favour of Petitioner.

7. Ms. Badgujar points out consent and no-objection which is given by Mr. Murali Kannan dated 30.07.2025 is at Exhibit - I page No. 40 of the Petition and in that view Petition stands allowed in terms of prayer clause (a) which reads thus:-

“a. That a Legal Heirship Certificate be granted in favour of Petitioner along with heirs mentioned in Para 4 above certifying them as legal heirs / representative of the said Deceased under the Provisions of Bombay Regulation Act, VIII of 1827.”

8. Considering the exigency mentioned by Ms. Badgujar, the legal heirship certificate shall be issued to the Petitioner by the

Registry / Testamentary Department within a period of two weeks from today positively and unfailingly, subject to all requisite compliances and strictly in accordance with law and under no circumstances there shall be delay. Department shall act on server copy of this order.

- 9.** Issuance of proclamation, if any, stands dispensed with.
- 10.** Miscellaneous Petition is disposed.

H. H. SAWANT

[MILIND N. JADHAV, J.]

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