

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

MISC. PETITION NO. 526 OF 2026

Vijaya Nambiar & Ors. .. Petitioners

M V G Nambiar .. Deceased

Ms. Mamta Jiwnani for Petitioners.

CORAM : FARHAN P. DUBASH, J.

DATE : 12th JUNE 2026

P.C.:

1. Heard Ms. Mamta Jiwnani, learned Counsel for the Petitioners.
2. By this petition filed under the provisions of Bombay Regulation VIII of 1827, the Petitioners seek issuance of legal heirship certificate in favour of the surviving legal heirs of the deceased.
3. The deceased was the husband of Petitioner no. 1 and the father of Petitioner nos. 2 and 3 who expired on 24th February 2025. A copy of his death certificate is annexed to the petition. It is stated that at the time of his demise, the deceased was residing and had a fixed place of abode at Flat No. C-204 situated in Orion Building, Vasant Galaxy, Off. M. G. Road, Bangur Nagar, Motilal Nagar, Goregaon (West),

Mumbai – 400 104. It is also stated that the deceased died intestate without leaving behind any testamentary writing or Will.

4. In paragraph 4 of the petition, the Petitioners have given details of the surviving legal heirs of the deceased i.e. the widow of the deceased and the two children of the deceased (Petitioners herein).
5. The deceased is stated to have owned an immovable property in the State of Kerala whose details are set out in Schedule - I to the petition. For the sake of convenience, the details are reproduced hereunder:

“Peace and parcel of land in village Sasthamangalam, Taluka Thiruvananthapuram, District Thiruvananthapuram, having survey no. 123, 124 bearing tax receipt no. KL0101211353885/2025.”

6. It is stated that no other petition for heirship certificate, succession certificate, probate or letters of administration with or without Will annexed has been filed. There is, therefore no impediment to the grant of relief.
7. It is stated that the legal heirship certificate is required for the purpose of transfer of the immovable property into the names of the legal heirs of the deceased.

8. In view of the material placed on record, the petition is accepted and allowed in terms of prayer clause (a) which reads thus:

“a) That a legal heirship certificate be issued under Section 2 of the Bombay Regulation VIII of 1827 to the Petitioners, thereby certifying that the said (1) Vijaya Makkuni Varayil Gangadharan Nambiar (widow and Petitioner herein, (2) Srikumar Makkuni Varayil Gangadharan Nambiar (son of the deceased) and (3) Srikala Makkuni Varayil Gangadharan Nambiar (daughter of the deceased) are the only legal heirs and next-of-kin of the said deceased as per the provisions of the Hindu Succession Act, 1956.”

9. Petition is disposed of in terms of the aforesaid order with no order as to costs.

(FARHAN P. DUBASH, J.)

Shubham Gadhavepatil