

Rs. 75000/- Yerramilli v P. Manikyam



महाराष्ट्र MAHARASHTRA

214169

Court Fees of Rupees 75000/- paid  
IN THE COURT OF 5<sup>th</sup> Jt. CIVIL JUDGE (S.D.) THANE  
AT- THANE

Pg.No.01

M.A. No. 757/2019

Exh. No. 17

HEIRSHIP CERTIFICATE

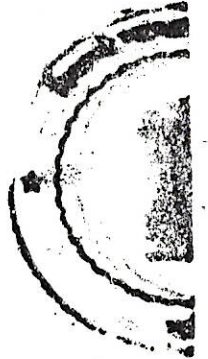
MRS. YERRAMILI VENKATA PADMA MANIKYAM  
Age – 56 years, Occupation - Housewife,  
having address at Flat No.902, on 9<sup>th</sup> Floor,  
Building No. B -06, SEA BREEZE Co-op. Hsg.  
Society Ltd.,Plot No.16, Sector – 16,  
Nerul, Navi Mumbai – 400 706,  
Tal. & Dist. Thane

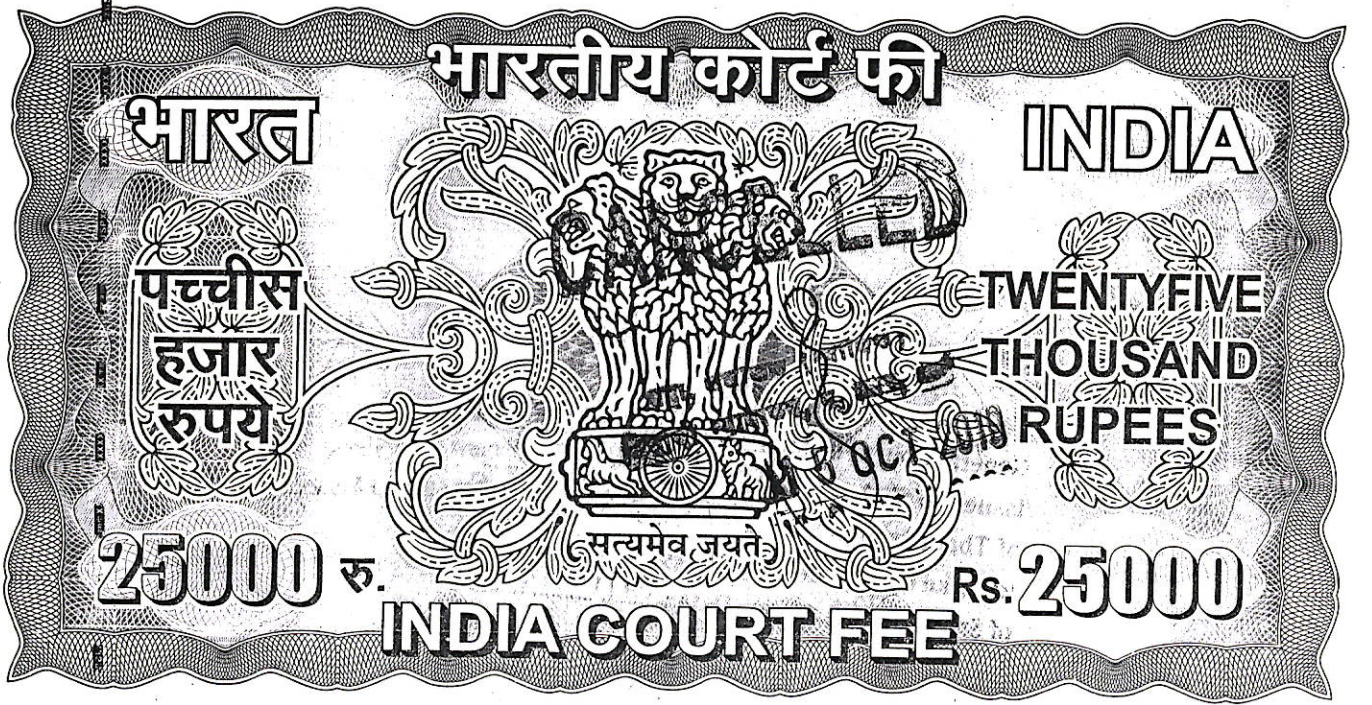
...Applicant

V/s

General Court Fee Stamp Worth Rs. 25000/-  
Issued to Shri. Yeshomilli V. P. Manikyan  
of Thane through Shri. Yashwantrao P. Pawar  
to make up a total Value of Rs. 75000/-  
of Sr. No. 935 Date: 14/10/19

*[Signature]*  
Stamp Head Clerk  
Treasury Office, Thane





महाराष्ट्र MAHARASHTRA

214170

Court Fees of Rupees 75000/- paid  
IN THE COURT OF 5<sup>th</sup> Jt. CIVIL JUDGE (S.D.) THANE  
AT- THANE

Pg.No.02

M.A. No. 757/2019

Exh. No. 17


HEIRSHIP CERTIFICATE

MRS. YERRAMILI VENKATA PADMA MANIKYAM  
Age – 56 years, Occupation - Housewife,  
having address at Flat No.902, on 9<sup>th</sup> Floor,  
Building No. B -06, SEA BREEZE Co-op. Hsg.  
Society Ltd.,Plot No.16, Sector – 16,  
Nerul, Navi Mumbai – 400 706,  
Tal. & Dist. Thane

...Applicant

V/s

General Court Fee Stamp Worth Rs. 2500/-  
Issued to Shri. Y. Somilli P. P. Manikyan  
of Thane through Shri. Y. Somilli P. P. Manikyan  
to make up a total Value of Rs. 7500/-  
of Sr. No. 735 Date: 14/10/19

  
Stamp Head Clerk  
Treasury Office, Thane





महाराष्ट्र MAHARASHTRA

214171

Court Fees of Rupees 75000/- paid  
IN THE COURT OF 5<sup>th</sup> Jt. CIVIL JUDGE (S.D.) THANE  
AT- THANE

Pg.No.03

M.A. No. 757/2019  
Exh. No. 17

HEIRSHIP CERTIFICATE

MRS. YERRAMILI VENKATA PADMA MANIKYAM  
Age – 56 years, Occupation - Housewife,  
having address at Flat No.902, on 9<sup>th</sup> Floor,  
Building No. B -06, SEA BREEZE Co-op. Hsg.  
Society Ltd.,Plot No.16, Sector – 16,  
Nerul, Navi Mumbai – 400 706,  
Tal. & Dist. Thane

...Applicant

V/s

General Court Fee Stamp Worth Rs. 25000/-  
Issued to Shri. Yeramilli V.P. Manikyam  
of Thane through Shri. Arvi Jaemin Appewtan  
to make up a total Value of Rs. 75000/-  
of Sr. No. 735 Date: 14/10/19

*Postage*  
Stamp Head Clerk  
Treasury Office, Thane

1. **MR. KANDUKURI VENKATA SUBBARAO**

Age – 65 years, Occupation – Service  
having address at 2 – 105, Main Raod,  
Rajavaram, East Godavari,  
Andhra Pradesh – 533235,

2. **MR. KANDUKURI VENKATA SITARAMAIAH**

Age – 63 years, Occupation – Service  
having address at 2 – 105, Main Raod,  
Rajavaram, East Godavari,  
Andhra Pradesh – 533235,

3. **MR. KANDUKURI VENKATA MURALIDHAR**

Age – 60 years, Occupation – Service  
having address at 3 – 153, Kammireddipalem,  
Kothapeta, East Godavari,  
Andhra Pradesh – 533223

... Opponents

To,

**MRS. YERRAMILI VENKATA PADMA MANIKYAM**

Age – 56 years, Occupation - Housewife,  
having address at Flat No.902, on 9<sup>th</sup> Floor,  
Building No. B -06, SEA BREEZE Co-op. Hsg.  
Society Ltd., Plot No.16, Sector – 16,  
Nerul, Navi Mumbai – 400 706,  
Tal. & Dist. Thane

...Applicant

HEIRSHIP CERTIFICATE

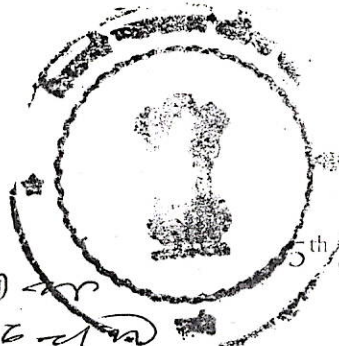
WHEREAS, LATE MRS. KANDUKURI VENKATA RAMANA, died on 01/11/2016, At – Andhra Pradesh and application was made by the above named applicant to the court of 5<sup>th</sup> Jt. Civil Judge, S.D. Thane to be formally recognized her as heir of the said deceased.

AND WHEREAS, usual proclamation having been issued, no sufficient objection was offered to the rights of the said applicant and whereas the said applicant there upon gave proof to the satisfaction of the Court of their rights to be recognized as heir of the said deceased LATE MRS. KANDUKURI VENKATA RAMANA.

This is to certify that the above named Applicant Namely MRS. YERRAMILI VENKATA PADMA MANIKYAM is recognized as heir of deceased LATE MRS. KUNDUKURI VENKATA RAMANA.

Given under my hand and seal of this Court, on this 14<sup>th</sup> day of October 2019.

Date :  
Place: Thane



(Ms. G. D. Nirmale)  
5<sup>th</sup> Jt. Civil Judge, S.D. Thane

*G. D. Nirmale*  
14.10.19

*Handwritten notes in Telugu script:*  
వంద ము 43744  
గంప 73500 6-11-19  
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अर्ज क्र. 5805119

अर्ज दाखल तारीख  
अर्ज नोंदल्याची तारीख  
न्यायालय तयार तारीख  
न्यायालय अर्ज कोटी तारीख  
न्यायालय अर्ज कोटी तयारी मध्ये  
एवढी प्रत तयार  
एवढी प्रत

14 OCT 2019  
15 OCT 2019

**YASMIN TIPUSULTAN**  
B.A., LL.B.  
ADVOCATE HIGH COURT  
sultanyasmin88@gmail.com  
Mob.- 9769011882

677  
R-Bar

Adv. Yasmin  
3970792

अधीक्षक  
दिवाणी न्यायालय व स्तर ठाणे

15 OCT 2019

MHTH02-004521-2019

दिवाणी न्यायालय, व. स्तर, ठाणे

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रिजिस्ट्रार

दिवाणी न्यायालय, ठाणे  
विशेष दिवाणी हाका क्र. .... 646  
नियमित दिवाणी दावा क्र. ....  
संशोधन अर्ज क्र. .... 98  
निवाह अर्ज क्र. ....  
न्यायालये आणि लक्षणीय नोंदवहीत  
दाखल करून घेतला.

सहा. अधीक्षक (न्यायिक)  
दिवाणी न्यायालय, व स्तर, ठाणे  
3970792

य नंतर 4 दिवस प्रकरण पूर्ण होईपर्यंत  
कोर्टाच्या न्यायालयात  
संशोधनात आला

दिवाणी न्यायालय, व. स्तर, ठाणे

issued personal notice to opponent  
by public notice in Daily newspaper  
to calling objections persons  
interested in cause.  
C.S.O. (Thane)

आदेश  
प्रातःवादी/सामनवाला यांना न्यायालय  
कारणासाठी, अर्ज दाखल करणे  
पोस्टीस, वाटीकडून काढणे

दिवाणी न्यायालय  
व स्तर ठाणे

15821



C.F. paid Rs. 50/-

  
Adv. An Apph

IN THE COURT OF CIVIL JUDGE (S.D.) THANE  
AT THANE

5/11

MISC. CIVIL APPLICATION No. 757/2019

3916.92

B

AN APPLICATION FOR ISSUE OF  
HEIRSHIP CERTIFICATE UNDER  
SECTION 1 & 2 OF CHAPTER - I,  
OF BOMBAY REGULATION ACT  
- VIII OF 1827 OF DECEASED  
LATE MRS. KANDUKURI  
VENKATA RAMANA, expired on  
01/11/2016 at Andhra Pradesh.

**MRS. YERRAMILI VENKATA PADMA MANIKYAM )**

Age 56 years, Occupation - Housewife )  
having address at Flat No.902, on 9<sup>th</sup> Floor, )  
Building No.B-06, SEA BREEZE Co-op. Hsg. Society Ltd.,)  
Plot No.16, Sector-16, Nerul, Navi Mumbai-400 706, )  
Tal. & Dist. Thane ) ...Applicant  
mob. 9820407190 )  
V/S

**1) MR. KANDUKURI VENKATA SUBBARAO )**

Age. 65 years, Occupation- Service )  
having address at 2-105, Main Road, )  
Rajavaram, East Godavari, )  
Andhra Pradesh - 533235, )

**2) MR. KANDUKURI VENKATA SITARAMAIAH )**

Age. 63 years, Occupation- Service )  
having address at 2-105, Main Road, )  
Rajavaram, East Godavari, )  
Andhra Pradesh - 533235, )

**MR. KANDUKURI VENKATA MURALIDHAR, )**

**3] Age. 60 years, Occupation- Service )**  
having address at 3-153, Kammireddipalem, )  
Kothapeta, East Godavari, )  
Andhra Pradesh - 533223, ) ...Opponents

Y. Padma

THE APPLICANT ABOVE NAMED RESPECTFULLY STATES AS UNDER :-

1. The Applicant is the Daughter and Opponent No.1 to 3 are Sons of **LATE MRS. KANDUKURI VENKATA RAMANA**. The said **MRS. KANDUKURI VENKATA RAMANA**, expired on 01/11/2016 and **SHRI. SURYA NARAYANA KANDUKURI** husband of **Late MRS. KANDUKURI VENKATA RAMANA**, is expired on 26/07/1978, leaving behind above Applicant & the Opponents as her legal heirs, legal representatives/Next to kin.

2. The said **LATE MRS. KANDUKURI VENKATA RAMANA**, mother of the applicant was the owner of the 50% share in respect of **Flat No.902**, on 9<sup>th</sup> Floor, admeasuring about 798 Sq. ft., Carpet area, Building No.B-06, **SEA BREEZE** Co-op. Hsg. Society Ltd., Plot No.16, Sector-16, Nerul, Navi Mumbai- 400 706, Tal. & Dist. Thane, valued at **Rs.35,22,500/- (RUPEES THIRTY FIVE LAKHS TWENTY TWO THOUSAND FIVE HUNDRED ONLY)** [i.e. 50% share of total value of **Rs.70,45,000/- (RUPEES SEVENTY LAKHS FORTY FIVE THOUSAND ONLY)** which is purchased vide Agreement for Sale dated 16<sup>th</sup> April, 2004.

3. The Applicant submits that consequent upon the death of **LATE Mrs. KANDUKURI VENKATA RAMANA**, the said property is to be transferred in the name of the Applicant who is the legal representative of the deceased **LATE MRS. KANDUKURI VENKATA RAMANA**.

*Y. Padua*

4. Applicant submits that she along with her Brothers are the only heirs and legal representatives of the said deceased **LATE MRS. KANDUKURI VENKATA RAMANA**. The opponents will also give NO OBJECTION for grant of Heirship Certificate in favour of the applicant.

5. The Applicant submits that the said deceased **LATE MRS. KANDUKURI VENKATA RAMANA**, has neither left any will, nor any application for obtaining Heirship Certificate is filed or is pending in any other Court.

6. The Applicant has affixed a court fee of Rs. <sup>50/-</sup>~~100/-~~.

7. That the Applicant is having address at Nerul, Navi Mumbai and schedule property is also situated in Nerul, Navi Mumbai. This Hon'ble Court therefore has jurisdiction to try, entertain and dispose of this application.

#### **SCHEDULE OF PROPERTY**

**50% share of Flat No.902, on 9<sup>th</sup> Floor, admeasuring about 798 Sq. ft., Carpet area, Building No.B-06, SEA BREEZE Co-op. Hsg. Society Ltd., Plot No.16, Sector-16, Nerul, Navi Mumbai-400 706, Tal. & Dist. Thane, valued at Rs.35,22,500/- (RUPEES THIRTY FIVE LAKHS TWENTY TWO THOUSAND FIVE HUNDRED ONLY) [i.e. 50% share of total value of Rs.70,45,000/- (RUPEES SEVENTY LAKHS FORTY FIVE THOUSAND ONLY)]**

*Y. Padma*

8. Applicant therefore prays that:-

- a) This Hon'ble Court be pleased to issue Heirship Certificate to the effect that the applicant is the Heirs/Legal representatives of **LATE MRS. KANDUKURI VENKATA RAMANA**, in respect of schedule property.
  
- b) For such other and further reliefs as the nature and circumstances of the case may required and as this Hon'ble Court deems fit and proper.

Filed in the Court at Thane

on 31/07/2019

Y. Padma  
Applicant



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Appearance :-

Mrs. Yasmin Tipusultan Advocate for the applicant and opponents.

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**J U D G M E N T**

( Delivered on 30<sup>th</sup> day of September 2019 )

- 1] This is an application under Section 2 of the Bombay Regulation VIII of 1827.
- 2] Shorn of irrelevant details the applicant case is that, Late Mrs. Kandukuri Venkata Ramana died intestate on 01/11/2016, leaving behind a daughter and three sons (applicant and opponents) as her only legal heirs. The deceased owning 50% share in Flat No. 902, 9<sup>th</sup> Floor, admeasuring 798 sq.ft. Building No. B-06, Sea Breeze CHS Limited, situated at Plot No. 16, Sector 16, Nerul, Navi Mumbai, Taluka and District Thane, which is situated within the territorial jurisdiction of this Court. After the death of Late Mrs. Kandukuri Venkata Ramana, applicant want heir-ship certificate for getting formally recognized as heirs of deceased. For that end she has filed this application for heir-ship certificate.
- 3] The citation and paper publication were issued and circulated in daily newspaper "Kokan Sakal" on 22<sup>th</sup> August, 2019, calling upon the objections from the public at large. Opponents gave their no-objection to the claim of the applicants vide Exh.12 to Exh. 14.
- 4] Perused the affidavit filed by the applicant, in support of her application. Heard learned Mrs. Yasmin Tipusultan, for the applicant and



*Judgment*

Presented on : 31/07/2019  
Registered on : 31/07/2019  
Delivered on : 30/09/2019  
Duration : Yr. Mn. Dy.  
00 01 30

IN THE COURT OF CIVIL JUDGE SENIOR DIVISION, THANE.  
( Presided over by : Ms. G. D. Nirmale, 5<sup>th</sup> Jt.C.J.S.D., Thane )

Civil Misc. Application No. 757/2019

Exh. No.16C

1. Mrs. Yerramilli Venkata Padma Manikyam, }  
Age : 56 years, Occ. Housewife, }  
Residing at: Flat No.902, on 9<sup>th</sup> Floor, }  
Building No.'B'-06, SEA BREEZE Co-op.Hsg }  
Society Ltd., Plot No.16, Sector -16, }  
Nerul, Navi Mumbai – 400 706, }  
Tal.& Dist.Thane. }... Applicant

V/S

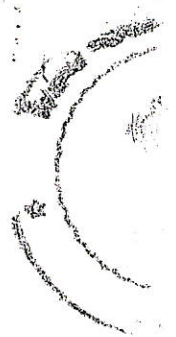
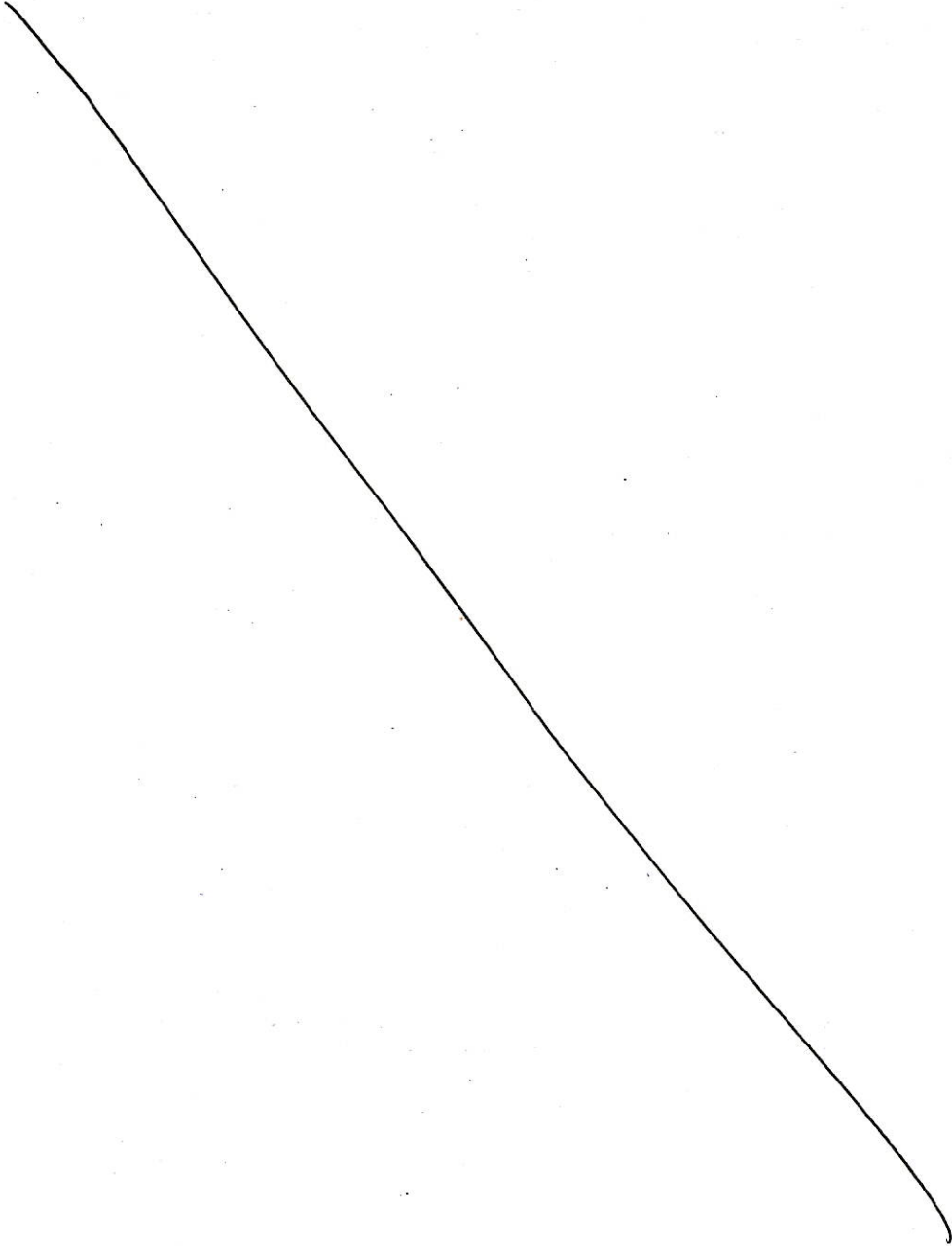
1. Mr. Kandukuri Venkata Subbarao, }  
Age : 65 years, Occu: Service, }  
Residing at : 2-105, Main Road, }  
Rajavaram, East- Godavari, }  
Andhra Pradesh – 533235. }

2. Mr.Kandukuri Venkara Sitaramaiah, }  
Age : 63 years, Occu: Service, }  
Residing at : 2-105, Main Road, }  
Rajavaram, East- Godavari, }  
Andhra Pradesh – 533235. }

3. Mr.Kandukuri Venkata Muralidhar, }  
Age : 60 years, Occu: Service, }  
Residing at : 3-153, Kammireddipalem }  
Kothapeta, East Godavari, }  
Andhra Pradesh – 533223 } ... Opponents

*Surpreet*





13  
अधिवक्ता  
बिबापी न्यायालय, व. साह, डाके

VERIFICATION

I, MRS. YERRAMILI VENKATA PADMA MANIKYAM, the Applicant hereinabove do hereby state on solemn affirmation that whatever stated hereinabove is true and correct to the best of my knowledge and belief.

Filed in the Court at Thane

on 31/07/2019

Y. Padma  
Applicant

  
Advocate for Applicant

(Adv. Yasmin P. P. S. W. S.)

opponents. Following points arise for determination. Findings along with the reasons on the points are as under:

Sr.No.	Points	Findings
1)	Whether the applicant is entitled to get heir-ship certificate as prayed for?	Yes.
2)	What Order ?	Application is allowed.

### REASONS

#### POINT NOS.1, AND 2:-

5] In support of the application, applicant filed her testimonial affidavit (Exh.15), reiterating the contents of application which requires no further repetition. The opponents also filed their no claim affidavits (Exh.12 to Exh.14), stating that they do not have any objection in grant of heir-ship certificate in the name of applicant. The death certificates of deceased Late Mrs. Kandukuri Venkata Ramana, I-cards of applicant and opponents, citation and paper publication are filed on record.

6] Nobody came forward within one month and objected the claim of applicant for grant of the heir-ship certificate. Thus, evidence of the applicant remained un-shattered. This Court does not find any impediment in granting the heir-ship certificate in the name of applicant for formally recognizing her as heirs of deceased Late Mrs. Kandukuri Venkata Ramana. The applicant, being daughter of deceased, is her legal heirs and entitled to get the heir-ship certificate. Therefore, point No.1, is answered in the affirmative and in the result, following order is passed:

BIOS 17021

ORDER

- 1] Application is allowed.
- 2] Issue heir-ship certificate in the name of the applicant formally recognizing her as heir of deceased Late Mrs. Kandukuri Venkata Ramana on payment of required court fees.
- 3] The applicant shall within six months from the date of the certificate, exhibit in the Court a full and a true inventory of all the properties and credits in her possession under the certificate, and also, within one year from the same date, render to the Court a true account of the said property and credits showing the assets which have come to her hands and the manner in which she has been applied or disposed of.

Thane.

Date : 30/09/2019.

*Jurpet-*  
( Ms. G. D. Nirmale )

5<sup>th</sup> Jt. Civil Judge, Senior Division.

छायांकित करणारः *B. N. S. M. S.*  
रजुवात करणारः *B.*



खरी प्रत  
*(B)*  
अधीक्षक  
दिवाणी न्यायालय व. स्तर ठाणे  
15 OCT 2019