

IN THE COURT OF THE I JUNIOR CIVIL JUDGE,
CITY CIVIL COURT, AT SECUNDERABAD

PRESENT: SMT. B.DEEPTI
I JUNIOR CIVIL JUDGE

DATED THIS THE 30th DAY OF NOVEMBER, 2021

O.S. No.184 OF 2021

Between:

1. Navratan Jain @ Navratan mal Jain,
S/o late Subhkaran Jain
aged 58 years,
Occ: Business,

2. Neha Jain, D/o Navratan Jain
aged 30 years,
Occ: Business, R/o Flat No. 402,

3. Nishanth Jain, S/o Navaratan Jain
aged 33 years, Occ: Business
All are R/o Flat No. 402,H.No. 1-8-55,
Tirthanker Apartment
Venkat Rao Nagar Colony,
Secunderabad

...Plaintiffs

AND

1. The Mandal Revenue Officer
Secunderabad
Near Fire Station, S.P.Road,
Secunderabad.

2. All Concerned

....Defendants

This suit is coming on this day before me for final hearing in the presence of **Sri J.Jeevan Babu**, Advocate for Plaintiffs and **Defendants set exparte**, and the matter having been heard and stood over for consideration till today, this Court delivered the following:-

J U D G M E N T

This suit is filed seeking the relief of declaration to declare plaintiff Nos. 1 to 3 as legal heirs of one late Santosh Devi Jain against defendant Nos.1 and 2.

2. The facts set out in the plaint are:

Plaintiffs contended that one Santosh Devi Jain W/o Navaratan Jain died intestate on 25.9.2012, leaving behind her, the plaintiff as her only heirs to succeed and inherit. Except plaintiffs, there are no other legal heirs of the deceased Santosh Devi Jain. It was further contended that after the demise of Santosh Devi Jain, plaintiff No.1 approached the MRO in the month of December 2020 to obtain legal heir certificate or family member certificate, whereupon the MRO refused to issue legal heir certificate and informed that they does not have powers to issue legal heirs certificate to a non-government person. As such the plaintiffs approached this court and filed this instant suit.

3. Summons were served on defendant No.1. Summons pertaining to D2 were published in "Hindi Milab" Daily news paper. Defendants 1 and 2 failed to appear before the court. Hence, defendants 1 and 2 set exparte on 21.10.2021.

4. Plaintiff No.1 got himself examined as PW1 and got marked Exs.A1 to A4.

5. Heard the counsel for plaintiffs.

6. Now, the points for determination are:-

1. **Whether the plaintiffs 1 to 3 are entitled for declaration of legal heirs of late *Santosh Devi Jain* as prayed by them?**
2. **To what relief?**

7. **POINT No.1 :**

PW1 reiterated the averments of plaint in her affidavit filed in lieu of her examination in chief. Therefore, I am of the considered opinion that reproduction of the fact set out in plaint over and again would be redundant.

8. It has been the claim of the plaintiffs that plaintiffs are legal heirs of Santosh Devi Jain who died on 25.9.2012 leaving behind plaintiffs as her legal heirs.

9. Upon perusal of documents and after hearing the counsel for plaintiffs, I find that PW1 categorically testified he is the husband of late Santosh Devi Jain and to demonstrate the case he got exhibited Exs.A1 to A4. Ex.A1 is original death certificate of late Santosh Devi Jain, who died on 25.9.2012. As per Ex.A1, it shows that late Santosh Devi Jain is husband of Navaratan Mal Jain. Ex.A2 is original aadhar card of plaintiff No.1. Ex.A3 is original aadhar card of plaintiff No.2. Ex.A4 is original aadhar card of plaintiff No.3. As per Exs.A3 and A4, plaintiff No.2 is daughter and plaintiff No.3 is son of plaintiff No.1.

10. The oral and documentary evidence adduced by the plaintiffs 1 to 3 goes to show that plaintiffs 1 to 3 are legal heirs of late Santosh Devi Jain who died on 25.9.2012. The oral and documentary evidence adduced by

the plaintiffs remained un rebutted and unchallenged as the defendants remained set exparte. In the attending circumstances, in the light of oral and documentary evidence i.e. Exs.A1 to A4, plaintiffs are entitled for the relief of declaration that they are legal heirs of late **Santosh Devi Jain**. The declaration is only to the extent of legal status of plaintiffs. Accordingly, this point is answered in favour of plaintiffs 1 to 3.

11. POINT No. 2:-

In the result, the suit is decreed without costs in favour of the plaintiffs 1 to 3 declaring them as legal heirs of late **Santosh Devi Jain**. Declaration is only for legal status, but not for any other purpose.

(Typed to my dictation, corrected and pronounced by me in Open Court, on this the 30th day of November, 2021.)

**I JUNIOR CIVIL JUDGE,
CITY CIVIL COURT, SECUNDERABAD.**

**APPENDIX OF EVIDENCE
WITNESSES EXAMINED**

For the Plaintiffs:

PW1: Navratan Jain @ Navratanmal Jain

For Defendants:

--None--

For the Defendants:

Ex.A1- Original death certificate of late Santosh Devi Jain, dt.
4.10.2012

Ex.A2- Original aadhar card of plaintiff No.1

Ex.A3- Original aadhar card of plaintiff No.2

Ex.A4- Original aadhar card of plaintiff No.3

**I JUNIOR CIVIL JUDGE,
CITY CIVIL COURT, SECUNDERABAD.**

