



IN THE COURT OF THE I ADDITIONAL SENIOR CIVIL JUDGE,
GOKAK

Present: Sri. Mahadev Kanatti, B.com., LL.B.
I Addl. Senior Civil Judge, Gokak

17TH DAY OF JUNE-2026

P AND SC.NO.5/2026

Petitioners:

1. Shri. Tamajeed S/o Dilip Nadaf,
Age: 27 years, Occ: Agriculture,
2. Shri. Tohid S/o Dilip Nadaf,
Age: 25 years, Occ: Student,

Both are R/o: Devagoudana Hatti,
Tal: Gokak.

3. Smt. Taiba W/o Subanalla Nadaf,
Age: 29 years, Occ: Household,
R/o: Masaguppi, Tal: Mudalagi.

(By Sri. S.S.K., Advocate)

V/s

Respondent:

- NIL -

Date of institution of the Petition	:	26.03.2026
Nature of the Petition	:	U/sec. 372 of Indian Succession Act 1925

Date of commencement of recording of evidence	:	05.06.2026
Date on which the Judgment was pronounced	:	17.06.2026
Total duration	:	Year /s Month/s Day/s 00 02 21

ORDERS

Petitioners have filed this petition for issuance of succession certificate in their names to get the job of their father on compassionate ground.

2. Brief facts of the case:- The father of the petitioners by name Dilip S/o Rajesab Nadaf died on 25.12.2025. It is further stated that, the mother of the petitioners by name Smt. Laila W/o Dilip Nadaf also died. Both are leaving behind the petitioners alone as their legal heirs and they are the son's and daughter of deceased Dilip S/o Rejesab Nadaf. The said Dilip during his lifetime he was working as a driver in the K.S.R.T.C at Kundapur Depo. He was in service until his death. It is further stated that, after his death, the petitioner No.2 applied before the K.S.R.T.C Managalore on 17.02.2026 for obtaining the job of his father on compassionate ground along with

required and necessary documents. But the said authorities have issued endorsement on 04.03.2026 demanding succession certificate. Hence, the petitioners constrained to file the present petition.

3. After institution of the petition, a public notice was given by way of a paper publication in the daily news paper “Karnataka Times” on 08.04.2026 notifying any interested persons to appear and resist the petition. None of the interested parties appeared and resisted the petition. Hence the case is posted for recording the evidence of the petitioners.

4. In order to prove the case of the petitioners, the petitioner No.1 has examined himself as PW.1 and got marked at Ex.P.1 to Ex.P10. Ex.P1 is the endorsement given by KSRTC, Mangalore Division, Ex.P2 and 3 are the death certificates of deceased Dilip and Laila, Ex.P4 and 5 are the family surviving certificate and family tree certificate, Ex.P6 is the Bank passbook of deceased Dilip, Ex.P7 to 9 are the Aadhar cards of petitioners, Ex.P10 is the daily news paper in Karnataka Times.

5. I have heard the arguments of the petitioner and perused the material on record.

6. Points that arise for consideration of this court are;

1. Whether the petitioners are entitled for succession certificate as prayed in the petition?
2. What Order?

7. Findings of the court on the above points are as under:

Point No.1: In the affirmative and

Point No.2: As per final order for the following:

REASONS

8. Point No.1:- The PW.1 has asserted that, petitioners are the only legal heirs of the deceased Dilip, who died leaving behind the petitioners as legal heirs. During lifetime of deceased Dilip, he was serving as driver in KSRTC. After his death, petitioners have applied to the concerned authority to get job on compensatory ground. The concerned authority demanded the succession certificate from competent Court. Therefore, the petitioners constrained to file the petition for issuance of succession certificate in their favour. Except petitioners there are no other legal heirs to deceased Dilip. Hence, there is no legal hurdle to issue a succession certificate in favour of the

petitioners who are the legal heirs of deceased Dilip. Except this petition they have not filed any other petition before any Court of law or authority. In support of the oral evidence of the PW.1, he has placed reliance upon the documents Ex.P1 to 10 which fortify the case of the petitioners.

9. There is no contra evidence to disbelieve the said facts as none appeared and raised objections to the claim of petitioners. In the circumstances, the petitioners being the only legal heirs of the deceased and they are entitled to succession certificate in their favour as prayed for. Accordingly, the point No.1 is answered in the affirmative.

10. Point No.2:- In view of the findings arrived on the point No.1, this Court proceed to pass the following:

ORDER

The Petition filed Under Section 372
of the Indian Succession Act, is hereby
allowed.

Office is directed to issue a Succession Certificate in the prescribed Form in favour of petitioners as sought for after collecting necessary Court fee as per Sec.379 of the Indian Succession Act.

There shall be no order as to costs.

Further, office to consign the records to the CRR as per the Rules.

(Dictated to the stenographer on computer, typed by her, revised, corrected by me and then pronounced by me in the open Court on this day, the 17th June, 2026)

Sd/-
(Mahadev Kanatti)
I Addl. Senior Civil Judge,
Gokak

ANNEXURES

List of witnesses examined for petitioners:

PW1 : Shri. Tamjeed S/o Dilip Nadaf.

List of witnesses examined for respondent:

- Nil -

List of documents marked for petitioner:

Ex.P1 : Endorsement given by the KSRTC,
Mangaluru Division.

Ex.P2 and 3 : Death certificates of Dilip and Laila.

- Ex.P4 and 5 : Family surviving certificate and family tree certificate.
- Ex.P6 : Bank passbook of deceased Dilip.
- Ex.P7 to 9 : Aadhar cards of petitioners.
- Ex.P10 : Daily news paper in Karnataka Times.

List of documents marked for respondent:

- Nil -

**Sd/-
(Mahadev Kanatti)
I Addl. Senior Civil Judge,
Gokak.**