



**IN THE COURT OF THE ADDL. SENIOR CIVIL JUDGE &
JMFC, AT SIRA**

Present: Sri. VINOD KUMAR.M B.A.L.LL.B., LL.M.,
Addl. Senior Civil Judge & JMFC, SIRA

Dated this the 02nd day of July - 2026

Crl. Misc No.43/2026

- Petitioner/s :**
- 1. Ningamma,**
W/o late Doddaobanayaka.,
Aged about 80 years,
R/at Tavarekere Village,
Gowdagere Hobli,
Sira Taluk.
 - 2. Shivanna,**
S/o late Doddeerappa,
Aged about 60 years,
R/at Ramanahalli,
Bukkapatna Hobli,
Sira Taluk.
 - 3. Bommalingappa,**
S/o late Bommanna,
Aged about 60 years,
 - 4. Nagaraju,**
S/o late Lakshmiramegowda,
Aged about 58 years,
 - 5. Ramakrishnappa,**
S/o late Lakshmiramegowda,
Aged about 65 years,
 - 6. Kusumakshmma,**
W/o late S.Lingaiah,
Aged about 60 years,
 - 7. Shivakumar S.L.**
S/o late S.Lingaiah,
Aged about 44 years,



The petitioner No.3 to 7 are
R/at Shagadadu Village,
Bukkapatna Hobli,
Sira Taluk.

8. Kamalamma,
W/o late Omkarappa,
Aged about 46 years,
R/at Hosuru Village,
Gowdagere Hobli,
Sira Taluk, Tumakuru District.

9. Latha,
W/o Thippeswamy,
Aged about 46 years,
R/at Gamapanahalli,
Midigeshi Hobli,
Madhugiri Taluk,
Tumakuru District.

(By Sri.H.N. Adv.,)

Versus

Respondent/s : **Deputy Thashildar,**
Nadakacheri,
Bukkapatna,
Bukkapatna Hobli,
Sira Taluk.

(Placed Ex-parte)

ORDER

The Petitioners have filed the present petition U/Sec.13(3) of Registration of Births & Deaths Act, 1969 for necessary direction to the Respondent to enter the death particulars of grand daughter and great grand children of deceased Badaramegowda S/o Doddaramegowda in the register of death and to issue death certificate, in the interest of justice.



2. In the petition the Petitioners have contended that, they are grand daughter and great grand children by name Badaramegowda S/o Doddaramegowda, who died on 08.05.1971 at Shagadadu Village, Bukkapatna Hobli, Sira Taluk, Tumakuru District. But, they have not intimated to Respondent regarding death of Badaramegowda S/o Doddaramegowda due to bonafide reason. They requires the death certificate of Badaramegowda S/o Doddaramegowda for change the khatha of property standing in her name. They approached with Respondent to issue death certificate, but after verifying the death register, they issued endorsement on 23.01.2026. Hence, they prays to allow the petition.

3. In-spite of service of notice and public notice in daily newspaper, the Respondent did not appear before the court and no one has claim to legal heirs of deceased Badaramegowda S/o Doddaramegowda. Hence, the Respondent was placed exparte. Posted for Petitioners' evidence.

4. In order to prove the case of the Petitioners, the Petitioner No.7 himself is examined as PW1 and got marked Ex.P1 to P5.

5. Heard on petition by learned counsel for Petitioners. Perused the documents available on record.

6. The points that arise for my consideration are;

1. Whether the Petitioners would be entitle for the relief sought in the petition?

2. What order?



7. My findings to the above points are;

Point No.1 : In the **Affirmative**

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

REASONS

8. Point No.1: It is the case of the Petitioners that, they are grand daughter and great grand children by name Badaramegowda S/o Doddaramegowda died on 08.05.1971 at Shagadadu Village, Bukkapatna Hobli, Sira Taluk, Tumakuru District, and due to inadvertence and by oversight, Petitioners were not reported his death particulars to the concerned authority.

9. In support of their case, Petitioner No.1 examined as PW1 by reiterated the petition averments and they required the death certificate of Badaramegowda S/o Doddaramegowda for changing the Khatha of property standing in her name and the Respondent has issued non-availability certificate dated 23.01.2026 as per Ex.P1. PW.1 further relied on Ex.P2/Notary Affidavit Family Tree clearly reveals that, Badaramegowda S/o Doddaramegowda was grand mother and great grand mother of said petitioners, which is not in dispute. PW1 further produced Ex.P3/Tomb photo clearly shows the said Badaramegowda was buried in Shagadadu Village. Even after issued paper publication in daily newspaper, no one has claim as legal heirs of deceased Badaramegowda S/o Doddaramegowda as per Ex.P4 & 5/Paper Publications.



10. On perusal of the oral testimony of PW1 and Ex.P1 to P5 clears that, Badaramegowda S/o Doddaramegowda he died on 08.05.1971 at Shagadadu Village, Bukkapatna Hobli, Sira Taluk, Tumakuru District. The perusal of non-availability certificate issued by the Respondent goes to show that, there is no entry regarding his death particulars in the register maintained by them. In the present case, in-spite of service of notice, the Respondent did not appear before the court, hence Respondent placed exparte. Hence, the oral testimony of PW1 and Ex.P1 to P5 are corroborate with each other and the evidence of PW.1 is unchallenged by the Respondent. Under these circumstances, the Petitioners proved that, they would be entitle for death certificate from Respondent office by way of preponderance of probability. Accordingly, I answered to **Point No.1 in the Affirmative.**

11. Point No. 2 : In view of my aforesaid findings, I proceed to pass the following;

ORDER

The petition filed by the Petitioners U/Sec.13(3) of the Karnataka Births & Deaths Registration Act is hereby allowed.

Consequently, the Respondent is hereby directed to enter the date of death of grand daughter and great grand children of Petitioners by name **Badaramegowda S/o Doddaramegowda died on 08.05.1971 at Shagadadu Village, Bukkapatna**



Hobli, Sira Taluk, Tumakuru District in death register and issue death certificate after collecting necessary fee.

(Dictated to the Stenographer directly on computer, revised and corrected by me and then pronounced in open court on this the **02nd day of July 2026**)

Sd/-
(VINOD KUMAR.M.)
Addl Senior Civil Judge &
JMFC, Sira

: A N N E X U R E :

List of witnesses examined on behalf of Petitioners:

PW1 : Shivakumar S.C.

List of documents exhibited on behalf of Petitioners:

Ex.P1 : Non-availability Certificate

Ex.P2 : Affidavit Family Tree

Ex.P3 : Tomb Photo

Ex.P4 & 5 : Paper Publications

List of witnesses examined on behalf of Respondent:

- Nil -

List of documents exhibited on behalf of Respondent:

- Nil -

Sd/-
(VINOD KUMAR.M.)
Addl Senior Civil Judge &
JMFC, Sira