



KAUP320020272025

**IN THE COURT OF THE PRINCIPAL CIVIL JUDGE AND JUDICIAL
MAGISTRATE FIRST CLASS AT KUNDAPURA**

:: P R E S E N T ::

**Smt. Manjula .B., B.A.L., LL.B.,
Prl. Civil Judge & J.M.F.C.,
Kundapura.**

Crl. Mis. Case No.62/2025

Dated this the 6th day of July, 2026

Petitioner: Sri. Shankar Naik, 53 years,
S/o Late. Manja Naik,
R/o. D. No.5-54, Ragi Jaddu,
Shankaranarayana Village
Kundapura Taluk, Udupi District.

(Represent by learned Sri. R.K.N. Adv.)

:AND:

Respondents: 1. Tahashildar
Taluk Office, Kundapura

2. Krishna Naik, 61 years,
S/o Late Manja Naik,
R/o Shankaranarayana Village,
Kundapura Taluk.

3. Parvathi, 60 years,
D/o Late Manja Naik
R/o Aramanekodlu,
Hallihole Village,
Byndoor Taluk



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4. Shushila, 64 years,
W/o Late Narasimha Naik
R/o Shankaranarayana Village,
Kundapura Taluk

5. Gowri, 36 years

6. Chaithra, 33 years,
No.5 and 6 are Children of
Late Narasimha Naik
R/o Aramanekodlu,
Hallihole Village
Byndoor Taluk

7. Vidya, 30 years,

8. Joythi, 27 years,

9. Subramanya Naik, 21 years,
No.7 to 9 are Children of
Late Narasimha Naik
R/o Shankaranarayana Village
Kundapura Taluk

10. Tara, 36 years,
D/o Late Sadhu Naik
R/o Ballbylu, Shivamogga

11. Mohana, 35 years,
S/o Late Sadhu Naik
R/o Kattinadi
Hallihole Village
Byndoor Taluk

12. Manjunath Naik, 61 years,



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H/o Late Gulabi
R/o Kela Koderi, Bestri beri,
Jadkal Village, Byndoor Taluk.

(Respondents- Exparte)

//ORDER//

The petitioner has filed this petition under Sec.13(3) of Karnataka Registration of Births and Deaths Act, seeking direction to the Respondent-1 to enter the date of death of the sister of Petitioner viz. namely Sadhu Naik, D/o Manja Naik and Parvathi Naik and W/o Sheena Naik, who died on 30/04/1998 at Shankaranarayana Village, Kundapura Taluk, Udupi District in the birth and death register maintained by the Respondent-1.

2) Case of the petitioner in brief is as under:-

It is averred that Petitioners' sister Sadhu Naik died on 30/04/1998 at Shankaranarayana Village, Kundapura Taluk, Udupi District. The fact of death of the said Sadhu Naik was



not intimated to the concerned authority either by Petitioner or family members due to in-advertent mistake. When the Petitioner applied for death certificate, the Respondent-1 issued an endorsement stating that there is no entry regarding the death of Late. Sadhu Naik in the death Register. The Petitioner requires the death certificate of said Sadhu Naik for revenue purpose. As such prays to allow the petition.

- 3) In response to the notice issued by this Court, Respondents failed to appear before the Court. Hence Respondents are placed ex-parte.
- 4) In order to prove the case, Petitioner examined as PW1 and got marked Ex.P1 to Ex.P4 documents and closed his side.
- 5) Heard the arguments. Perused the records placed before this Court.



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6) The following points would arise for consideration of this

Court: :-

//POINTS//

1) Whether the Petitioner has made out sufficient grounds to allow the petition?

2) What order ?

7) This court answers to the above points are as follows:

Point No.1 :- In the affirmative

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

//REASONS//

POINT NO.1:-

8) In order to prove the case, Petitioner himself examined

before court as PW1 and got marked exhibit Ex.P1 to P4.

Ex.P1/Non-availability certificate dated: 22/09/2025,

Ex.P2/Paper publication in Kannada Prabha Daily news paper

dated: 05/02/2026, Ex.P3/Paper publication in The New



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Indian Express Daily newspaper dated: 05/02/2026, Ex.P4/Genealogy. PW1 has reiterated the averments of the petition.

- 9) The petitioner has taken paper publication in Kannada Prabha and The New Indian Express daily newspapers so as to enable any interested persons to appear before the Court and to submit their claim if any regarding the death of Late. Sadhu Naik. But no one has appeared before the Court in response to the said publication. The evidence of PW1 and the contents of the petition remain unchallenged by the Respondents. Hence, there is no controversy raised about the date of death. Accordingly on perusal of Ex.P2 and P3, it is necessary to issue direction to the Respondent-1 to make any entry regarding the date of death as prayed in the Petition. In this circumstances, **POINT NO.1** is answered in the **AFFIRMATIVE**.



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POINT NO.2:-

10) In view of discussion on point No.1, this Court proceed to pass the following:

//O R D E R//

The petition filed by the petitioner U/s 13(3) of the Registration of Births and Deaths Act, is hereby allowed.

The Respondent-1 is hereby directed to register the event of death of one Sadhu Naik, D/o Manja Naik and Parvathi Naik and W/o Sheena Naik, who died on 30/04/1998 at Shankaranarayana Village, Kundapura Taluk, Udupi District and issue death certificate, after collecting the necessary fee as required under law.

(Dictated to the Stenographer, directly on computer, revised and signed by me and then pronounced by me in the open Court on 06/07/2026)

**(Manjula B.)
Prl. Civil Judge & J.M.F.C.,
Kundapura.**



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//A N N E X U R E//

List of witnesses examined on behalf of the petitioner.

PW1 : Shankar Naik

List of documents exhibited on behalf of the petitioner.

Ex-P1 : Non-availability certificate dated: 22/09/2025

Ex-P2 : Paper publication in Kannada Prabha Daily news
paper dated: 05/02/2026

Ex-P3 : Paper publication in The New Indian Express Daily
news paper dated: 05/02/2026

Ex-P4 : Genealogy

List of witnesses examined on behalf of the Respondents

NIL

List of documents marked on behalf of the Respondents

NIL

**(Manjula B.)
Prl. Civil Judge & J.M.F.C.,
Kundapura.**