

KABG210016352026



IN THE COURT OF THE PRL. CIVIL JUDGE & JMFC., ATHANI

PRESENT

SRI. ONKARAMURTHY H.,

B.Com., L.L.B.,

Prl. Civil Judge & JMFC., Athani

Dated this the 06th day of June, 2026

Crl.Misc.No.451/2026

PETITIONER/S :-

- 1) Shri. Prahlad Siddaling Rajangale,
Age: 68 years, Occ: Tannery,
R/o: Madar Galli, Athani, Tq: Athani, Dist: Belagavi.

(Represented by Shri. B.N.Prabhakar, Advocate)

-V/S

RESPONDENT/S:-

- 1) The Tahasildhar,
Birth and Death Register Officer,
Athani, Tq: Athani, Dist: Belagavi.
- 2) Smt. Rekha W/o. Shrikant Rajangale,
Age: 68 years, Occ: Household work.,
R/o: Madar Galli, Athani, Tq: Athani, Dist: Belagavi.
- 3) Shri. Ramesh S/o. Shrikant Rajangale,
Age: 43 years, Occ: Tannery,
R/o: Madar Galli, Athani, Tq: Athani, Dist: Belagavi.

- 4) Shri. Rakesh S/o. Shrikant Rajangale,
Age: 36 years, Occ: Tannery,
R/o: Madar Galli, Athani, Tq: Athani, Dist: Belagavi.
- 5) Shri. Shyamrao S/o. Siddaling Rajangale,
Age: 58 years, Occ: Pvt. Job,
R/o: Madar Galli, Athani, Tq: Athani, Dist: Belagavi.
- 6) Shri. Raju S/o. Siddaling Rajangale,
Age: 50 years, Occ: Coolie,
R/o: Madar Galli, Athani, Tq: Athani, Dist: Belagavi.

(Ex-parte)

ORDER

This petition is filed by petitioners under section 13(3) of the Registration of Births and Deaths Act 1969 for directing the respondent No.1 to enter the date of death of uncle of petitioner and respondents No.5 and 6, father-in-law of respondent No.2 and grandfather of respondents No.3 and 4 by name Shri. Rama Bhima Mang @ Rajangale as 27.07.1970 at Athani Rural of Athani taluk.

2. That the deceased Shri. Rama Bhima Mang @ Rajangale is the uncle of petitioner and respondents No.5 and 6, father-in-law of respondent No.2 and grandfather of respondents No.3 and 4. It is further contended by the petitioner that the deceased Shri. Rama

Bhima Mang @ Rajangale died on 27.07.1970 at Athani Rural of Athani taluka and present petitioner and respondents No.2 to 6 are the only legal heirs. That the petitioner has approached respondent No.1 to issue death certificate of the deceased very recently, to which respondent No.1 had issued an endorsement dated 23.02.2026 stating that the death of deceased Shri. Rama Bhima Mang @ Rajangale is not registered in their records. Hence, the petitioner has constrained to file this petition.

3. On service of summons, respondents were absent and placed Ex-parte and they have also not filed any objection to the petition.

4. The following points arise for the consideration of this court:

1. Whether the petitioner has made out grounds to allow the petition?

2. What order?

5. I have heard the arguments of learned counsel for the petitioner and perused the materials placed on record.

6. The findings of this court to the above points are as follows:

***Point No. 1 : In the Affirmative,
Point No. 2 : As per final order for the following:***

REASONS

7. **POINT No.1** : It is case of the petitioner that, the deceased Shri. Rama Bhima Mang @ Rajangale is the uncle of petitioner and respondents No.5 and 6, father-in-law of respondent No.2 and grandfather of respondents No.3 and 4. It is further contended by the petitioner that the deceased Shri. Rama Bhima Mang @ Rajangale died on 27.07.1970 at Athani Rural of Athani taluk and present petitioner and respondent No.1 and 2 are the only legal heirs. The petitioner got examined himself as PW.1 and he has filed his affidavit in lieu of his examination in chief and reiterated the contents of the petition. On perusal of petition as well as the evidence on record it is found that the Ex.P.1 is the non-availability certificate, Ex.P.2 is the Heirship Certificate and Ex.P.3 and Ex.P.4 are the paper publications carried out by the petitioners. It is also clear that the death of Shri. Rama Bhima Mang @ Rajangale is not registered with the respondents and the present petitioners being his legal heirs have rightly filed the present petition.

8. According to section 13(3) of the Registration of Births and Deaths Act, event of Births or Deaths shall not be entered in the register, which have been reported after one year of the event without order of the Magistrate of the first class or Presidency Magistrate.

9. That apart, counsel for the respondents have not filed objection and not cross-examined the PW-1. The respondents remained absent, hence they were been placed ex-parte. As such, the evidence of PW.1 is to be believed and the petitioners have successfully proved the petition averments and the fact that, deceased Shri. Rama Bhima Mang @ Rajangale died on 27.07.1970 at Mahishwadagi village of Athani taluk and the said death is not entered in the register maintained in the office of respondent. Therefore, I have answered **point No. 1 in affirmative.**

10. **POINT No.2:** For the aforesaid discussion on point No.1, this court proceed to pass the following :

ORDER

Petition filed by petitioner under section 13(3) of the Registration of Births and Deaths Act 1969 is hereby allowed.

The respondents No.3 and 4 are hereby directed to enter the date of death of uncle of petitioner and respondents No.5 and 6, father-in-law of respondent No.2 and grandfather of respondents No.3 and 4 by name **Shri. Rama Bhima Mang @ Rajangale as 27.07.1970 at Athani Rural of Athani taluk** in the concerned register on receipt of prescribed fee and issue death certificate accordingly.

(Dictated to the Stenographer directly on computer, typed by her on computer, corrected by me and then pronounced in the open Court on this **06th day of June,**

(Onkarmurthy H)

Prl. Civil Judge & JMFC., Athani.

:: A N N E X U R E ::**1. LIST OF WITNESSES FOR THE PETITIONER:-**

PW.1 :- Shri. Prahlad Siddaling Rajangale.

2. LIST OF DOCUMENTS FOR THE PETITIONER:-

Ex.P.1 :- Non Availability Certificate.

Ex.P.2 :- Heirship Certificate

Ex.P.3 :- Paper Publication.

Ex.P.3(a) :- Marked Portion of Ex.P.3

Ex.P.4 :- Paper Publication.

Ex.P.4(a) :- Marked Portion of Ex.P.4

3. LIST OF WITNESSES FOR THE respondent:-

--- N I L ---

4. LIST OF DOCUMENTS FOR THE respondent:-

--- N I L ---

(Onkarmurthy H)

Prl. Civil Judge & JMFC., Athani.