

KABG410032852025



**IN THE COURT OF THE I ADDL. CIVIL JUDGE & JMFC,
CHIKODI, AT: CHIKODI.**

Present: **Shri. Zaheer Atanur, Bsc. LLB.**
C/C Prl.Civil Judge & JMFC, Chikodi.

Dated this the 24th Day of June, 2026

Crl. Misc No.963/2025

Petitioners:

1. Shri.Sadashiv Siddappa Badiger,
Age: 43 years, Occ: Agriculture
R/o: Vijaynagar, Tal: Chikodi,
Dist: Belagavi.
2. Shri.Bharatesh Siddappa Badiger,
Age: 51 years, Occ: Agriculture,
R/o: Vijaynagar, Tal: Chikodi,
Dist: Belagavi.
3. Smt.Bharati Appanna Kumbar,
Age: 44 years, Occ: Household work,
R/o: Nirwanhatti, Tal: Hukkeri,
Dist: Belagavi.
(By **Shri. L.B.P. Advocate**)

Vs

Respondents:

1. The Village Administrative Officer,
Vijaynagar, Tq: Chikodi, Dist: Belagavi.

2. The Tahasildar Chikodi,
(Birth and Death Registrar),
Tq: Chikodi, Dist: Belagavi
(Absent)

Nature of Petition	PETITION U/S 13(3) R/W RULE 10(3) OF REGISTRATION OF BIRTHS AND DEATHS ACT,1969
Date of Institution	03-10-2025
Date of recording evidence	11-06-2026
Date of Order	24-06-2026
Total duration	:00 Years 08 Months 21 Days

(Zaheer Atanur)
C/C Prl.CJ & JMFC, Chikodi.

ORDER

This is a petition filed by the petitioners U/Sec.13(3) of Birth and Death Registration Act, 1969 against the respondents seeking direction to enter the date of death of the father of petitioners by name **Siddappa Khubanna Badiger**, who died on **10-02-2023** at Vijaynagar village, Tal: Chikodi in their concerned records.

2. **The brief facts of the petitioners' case are as under;**

That petitioner Nos.1 and 2 and petitioner No.3 (before marriage) are the permanent residents of Vijaynagar, Chikodi Tq, Dist: Belagavi. That their father by name Late **Siddappa Khubanna Badiger** died on **10-02-2023** at Vijaynagar village, Tal: Chikodi and his wife Sonavva Siddappa Badiger was died on 25-07-2017 at Vijaynagar. It is stated that the petitioners have intimated to the respondents after the death of their father. Later on when the petitioners filed an application to obtain death certificate of their father, it was brought to their knowledge that the death of **Siddappa Khubanna Badiger** is not entered in the concerned register. Now the death certificate of **Shri. Siddappa Khubanna Badiger** is required for obtaining succession certificate. That the father of petitioners has died at Vijaynagar village, Tal: Chikodi, which is coming within the jurisdiction of this Court and hence, this Court has got jurisdiction to try this petition.

3. After registration of this petition, notice was issued to the respondents. In spite of service of notice, respondents did not appear and remained absent. The petitioners have also issued paper publication about this case in Hasiru Kranti and Kannadamma daily newspapers by way of substituted service.

Inspite of paper publications none have appeared before this Court.

4. In order to prove the case, petitioner No.1 has examined himself as PW-1 and got marked 4 documents as Exs.P-1 to P-4.

5. I have heard the argument of learned counsel for petitioners and perused the documents on record.

6. Now, the following points that arise for my consideration:-

Point No.1 : Whether petitioners have made out sufficient grounds to allow this petition?

Point No.2 : What order?

7. My answer to the above points is as under;

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

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

REASONS

8. **POINT NO. 1**:- It is the case of the petitioners that, their father by name Late **Shri. Siddappa Khubanna Badiger, who died on 10-02-2023 at Vijaynagar village, Tal: Chikodi,** but the date of death of their father is not entered in the

respondents' office. Now they require the death certificate of their father for family and legal necessities.

9. Petitioner No.1 in order to prove their case has filed affidavit in lieu of examination in chief and got examined as PW.1 and reiterated the petition averments and produced 4 documents which are marked as Exs.P-1 to P-4.

10. Ex.P-1 is non-availability certificate issued by the respondent No.1 which discloses that the date of death of Late **Shri. Siddappa Khubanna Badiger** is not entered in the death register. Ex.P-2 is the Kannadamma daily newspaper and Ex.P-2(a) is the portion in which notice is published. Ex.P-3 is the Hasiru Kranti daily newspaper Ex.P-3(a) is the portion in which notice is published that discloses the issuance of paper publication inviting any other interested persons to appear before this Court to contest the case. Ex.P-4 is xerox copies of Aadhaar card of petitioners and Late Siddappa Badiger.

11. The oral and documentary evidence of the PW-1 is not challenged by the respondents or any other persons. The oral evidence of the PW-1 is corroborated by the documentary evidence. This Court is of the view that there is no reason to disbelieve the evidence of PW.1 and in this regard the petitioners

have proved that their father by name Late **Shri.Siddappa Khubanna Badiger** died on **10-02-2023** at Vijaynagar village, Tal: Chikodi. Hence I answer **point No.1 in the Affirmative.**

12. **POINT NO. 2:-** For the foregoing reasons and discussions, I proceed to pass the following....

ORDER

The petition filed by the petitioners U/Sec.13 (3) of the Registration of Birth and Death Act, 1969 is hereby allowed.

Respondents are hereby directed to enter the date of death of father of petitioners by name Late **Shri.Siddappa Khubanna Badiger** who died on **10-02-2023** at Vijaynagar village, Tal: Chikodi, in their concerned registers after collecting the necessary late fees.

It is hereby made clear that the entry shall be made only for the purpose of obtaining death certificate and the same shall not entitle the petitioners to claim any benefits which may dilute any provisions of law.

*(Dictated to the Stenographer directly on Computer and typed by her, then script corrected by me and pronounced in the open court on **24th Day of June, 2026**).*

sd/-

(Zaheer Atanur)

C/C Prl. Civil Judge & JMFC,
Chikodi.

ANNEXURE**List of witness examined on behalf of Petitioners:**

P.W.1 : Sadashiv Siddappa Badiger.

List of documents marked on behalf of Petitioner

Ex.P.1/PW-1 : Non-availability Certificate

Ex.P.2, 2(a), 3, 3(a)/PW-1: Paper Publications

Ex.P.4/PW-1 : 4 copies of Aadhaar Cards.

List of witness examined on behalf of Respondents:

-NIL-

List of documents marked on behalf of Respondents:

- NIL -

Place: Chikodi

Date: 24/06/2026

sd/-

(Zaheer Atanur)

C/C Prl.Civil Judge & JMFC,
Chikodi.