



**IN THE COURT OF CIVIL JUDGE AND JMFC,
KITTUR**

:: PRESENT ::

SRI. MAHAMMADALI NAYAK,
B.B.A., LL.B.(Hons.)
Civil Judge and JMFC, Kittur

CRL.MISC.No.3/2026

DATED THIS THE 15TH DAY OF JUNE, 2026

PETITIONER :

Smt. Aruna Anant Kulkarni,
Before marriage
Deepa Venkateshrao Karanam
Aged about 44 years, Occ: Household,
R/o. M.K. Hubli, Tq: Kittur,
Dist: Belagavi.

(By Sri. C.C.G., Advocate)

- Versus -

RESPONDENT/S:

1. The Chief Officer,
Pattan Panchayat M.K. Hubli.
2. Tahasildar Kittur.

(R-1 by Sri. A.B.L., Advocate, R-2 By APP.)

* * *

**ORDER ON APPLICATION FILED UNDER SECTION 13(1) OF
REGISTRATION OF BIRTHS AND DEATHS ACT, 1969**

This is a petition filed by the petitioner seeking direction to the respondents to issue death certificate of the mother of petitioner by mentioning the date of death and name as Smt. Meerabai @ Laxmibai Venkateshrao Karanam who died on 05.08.2017 at M.K. Hubli, Tq: Kittur, Dist: Belagavi.

2. The brief facts of the case of the petitioner is as follows:

That the petitioner is the daughter of deceased Smt. Meerabai @ Laxmibai Venkateshrao Karanam. She has further stated that, Smt. Meerabai @ Laxmibai Venkateshrao Karanam died on 05.08.2017 at M.K. Hubli, Tq: Kittur, Dist: Belagavi. The date of death of Smt. Meerabai @ Laxmibai Venkateshrao Karanam and other particulars were not entered in the register maintained by the respondents. In order to produce before revenue authority, municipality and to obtain other benefits, the petitioner is in need of the death certificate. As such, she has approached the respondents seeking the same. In response a non-availability certificate has been issued by the respondents. Hence, this petition is filed.

3. After service of the notice on the respondents, the respondent No.1 has appeared before this through the learned Counsel and filed the objections. The respondent No.2

has appeared before this court through learned APP and not filed objections. The learned Counsel for respondent No.1 in his objections denied the petition averments and contended that no proper documents are produced and no cogent reasons are assigned to grant the relief. Hence, prays to dismiss the petition.

4. In support of the petition, the petitioner herself examined as PW-1 by way of affidavit filed by her in lieu of her oral examination-in-chief got marked 05 documents as per Ex.P.1 to Ex.P.5. The Ex.P.1 is original non-availability certificate, Ex.P.2 is the notarized copy of genealogical tree of petitioner's family, Ex.P.3 and 4 are notarized copy of aadhar cards, Ex.P.5 is the paper publication. PW-1 is cross-examined by learned Counsel for respondent No.1.

5. Heard the arguments and perused the records.

6. The points that arise for my consideration are that:

1. **Whether the petitioner has made out grounds to grant the relief as prayed for in the petition?**

2. **What Order ?**

7. My findings to the above points are as under:

Point No.1:- In the Affirmative.

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

:: R E A S O N S ::

8. **Point No.1:-** This Court has already narrated the factual matrix of the petition in the above paragraphs. Hence, the repetition of the same is not necessary. The evidence given by PW-1 by way of affidavit filed by her in lieu of her oral examination-in-chief corroborates with the documents Ex.P.1 to Ex.P.5 as before approaching this Court, the petitioner has approached the respondent, for which, the authority concerned has issued Ex.P.1 - non-availability certificate. In addition to this, the other documents i.e., Ex.P.2 document justify the fact that the petitioner is the daughter of deceased Smt. Meerabai @ Laxmibai Venkateshrao Karanam. Apart from that, the documents Ex.P.5 - paper publication made therein as per Ex.P.5 would also justify the fact that inspite of publications of the notice in the paper having wide circulation, none of the interested parties/objectors appeared challenging the petition. As the oral and documentary evidence given by PW-1 are in consonance with the averments made under the petition. No contra materials elicited from the mouth of PW-1 during course of cross examination. As such, there appears no impediment to this Court to grant the relief as prayed for in this petition. Hence, **Point No.1 is answered in the Affirmative.**

9. **Point No.2:-** In view of my finding on the above point, I proceed to pass the following;

:: O R D E R ::

The present petition filed under Section 13(3) of the Registration of Births and Deaths Act, 1969, is hereby allowed and consequently, the respondents are directed to make necessary entry of death of Smt. Meerabai @ Laxmibai Venkateshrao Karanam who died on 05.08.2017 at M.K. Hubli, Tq:Kittur, Dist: Belagavi, in the register of death after collecting requisite fee in this regard.

The respondents are also directed to mention in the death certificate that the same is issued in pursuance of this order.

It is made clear that, if any dispute arises in connection with the date of death or place of death, it will be subject to the decision of the competent Civil Court.

No order as to costs.

(Dictated to the Stenographer Grade-III directly on the computer, typed by her, corrected and then pronounced by me in open Court, this the **15th day of June, 2026**)

**(MAHAMMADALI NAYAK)
CIVIL JUDGE AND JMFC,
KITTUR**

:: A N N E X U R E ::

List of witnesses examined on behalf of the petitioner/s:

PW-1 : Smt. Aruna Anant Kulkarni

List of witnesses examined on behalf of the respondents/ :

- Nil -

List of exhibits marked on behalf of the petitioner/s :

Ex.P.1 : Original non-availability certificate
Ex.P.2 : Notarized copy of genealogical tree
of petitioner's family
Ex.P.3, 4 : Notarized copy of aadhar cards
Ex.P.5 : Paper Publication

List of exhibits marked on behalf of the respondent/s:

- Nil -

**(MAHAMMADALI NAYAK)
CIVIL JUDGE AND JMFC,
KITTUR**