

IN THE COURT OF THE PRL. CIVIL JUDGE & JMFC,
AT : ANEKAL

PRESENT: Sri. Shankarareddy.D.V., L.L.B., PGD in
IR & PM.,

DATED THIS THE 13th DAY OF May 2026.

CrI.Misc.No.533/2026

Petitioners : **1. Sri. D Thimmarayappa**
 S/o Late Dodda Doddaiah,
 Age: 68 years,

2. Sri. D Narayanappa
 S/o Late Dodda Doddaiah,
 Age: 66 years,
 Both are R/at : Karagadamma Nilaya,
 2nd Cross, Bayasabi Layout, Anekal Town,
 Anekal Taluk, Bangalore - 562106.

V/s

Respondent : The Chief Officer, Anekal Town.
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ORDER

Petitioners have filed the present petition U/s.13(3) of Registration of Births and Deaths Act praying to direct the respondent to issue death certificate of Kempamma W/o Late Dodda Doddaiah as she died on 11-09-2002 at No.130/6, Karagadamma Nilaya, 2nd Cross, Bayasabi Layout, Anekal Town and Taluk, Bangalore - 562 106.

2. The facts of petitioners case is set out hereunder, mother of petitioner No.1 & 2 Kempamma W/o Late Dodda Doddaiah died on 11-09-2002 at No.130/6, Karagadamma Nilaya,

2nd Cross, Bayasabi Layout, Anekal Town and Taluk, Bangalore - 562 106. The said Kempamma W/o Late Dodda Doddaiah death certificate is required to the petitioners. Therefore, petitioners moved application before the respondent to obtain the death certificate of said Kempamma, but the respondent issued non-availability certificate. As such, the petitioners constrained to file the present petition for the above said relief.

3. After receipt of notice, the respondent remained absent. Therefore, respondent treated as ex-parte. Subsequently, the petitioners have taken paper publication in daily news paper as per Ex.P4, in-spite of that none have opposed the present petition.

4. To prove petitioners case, petitioner No.2 examined as PW-1 and documents marked as Ex.P1 to Ex.P4.

5. Having heard and having perusal of the record, this court opines that the present petition needs to be allowed for the following:-

REASONS

6. PW1 reiterated the petition averments in his examination in chief and in support of oral evidence, he has produced Ex.P1 to 4. Ex.P1 is the Non-availability certificate, Ex.P2 is the Genealogical tree of petitioner's family, Ex.P3 is the Attested copy of Aadhar Card of petitioner No.2, Ex.P4 is the News paper publication. On perusal of aforesaid documents, it appears that the deceased Kempamma W/o Late Dodda Doddaiah is no other than mother of petitioner No.1 & 2 and she said to have died

on 11-09-2002 at No.130/6, Karagadamma Nilaya, 2nd Cross, Bayasabi Layout, Anekal Town and Taluk, Bangalore - 562 106. Further, it is not the case of the respondent or any other person as the said Gullamma is not the mother of petitioner No.1 & 2 and she has not died on 11-09-2002 on the said place. In the circumstance, it can be said that the petitioners proved as Kempamma W/o Late Dodda Doddaiah is their mother and she died on 11-09-2002 at No.130/6, Karagadamma Nilaya, 2nd Cross, Bayasabi Layout, Anekal Town and Taluk, Bangalore - 562 106. Therefore, the respondent to be directed to register the date of the death of said Kempamma in the concerned register and to issue death certificate thereof. Otherwise, the petitioners cannot get transfer of the katha to their names in-respect of their family property. Therefore, present petition needs to be allowed, accordingly this court proceeds to pass the following:-

ORDER

Petition filed by the petitioners under section 13(3) of Registration of Births and Deaths Act is hereby allowed. Accordingly, the respondent is hereby directed to register the date of death of Kempamma W/o Late Dodda Doddaiah as she died on 11-09-2002 at No.130/6, Karagadamma Nilaya, 2nd Cross, Bayasabi Layout, Anekal Town and Taluk, Bangalore - 562 106. in the concerned register and issue death certificate thereof to the petitioners by receiving prescribed fee if any.

**Prl. Civil Judge & JMFC,
Anekal**