



**IN THE COURT OF THE II ADDITIONAL CIVIL JUDGE AND
J.M.F.C., DEVANAHALLI.**

:: PRESENT ::

SRI. KENCHANAGOUDA PATIL B.A.,LLB,
II Addl. Civil Judge & JMFC.,
Devanahalli.

Dated this the 04th day of April, 2026

Cri.Misc. No.433/2025

- Petitioner/s :**
1. Sri.C.M.Trishankar,
S/o Late.D.N.Mariyappa and
Late.Puttamma,
Aged about 68 years,
 2. Smt.Hanumakka,
W/o Late.C.M.Madhusudhan
Aged about 63 years,
 3. Sri.C.M.Govardhan,
S/o Late.D.N.Mariyappa and
Late.Puttamma,
Aged about 62 years,

Petitioner No.1 to 3 are
R/at: Chikkadasarahalli Village,
Sarjapura Hobli, Anekal Taluk,
Bengaluru Urban District.
 4. Smt.Savithramma,
D/o Late.Chikkaveerappa,
W/o Sri.B.Krishanppa,
Aged about 75 years,
R/at: Bidaraguppe Village,
Gayathri Temple Road,
Jigani Hobli, Anekal Taluk,
Bengaluru Urban District.

(Rep.by Sri. Anand.H.C-Advocate)

**Versus**

Respondent/s: The Tahasildar,
Devanahalli Taluk.
Bengaluru Rural District.

(Exparte)

**ORDERS ON PETITION FILED UNDER SECTION 13(3) OF THE
REGISTRATION OF BIRTHS AND DEATHS ACT, 1969**

The Petitioners have filed this petition U/sec.13 (3) of the Registration of Births and Deaths Act 1969 for making the entry of date of death of the grand-father of the petitioner No.4 and great-grand-father of the Petitioner No.1 to 3 by name **Chikkamuniswamappa S/o Anjinappa was died on 25-04-1997 at Kurubarakunte Village, Devanahalli Taluk, Bengaluru Rural District.**

2. **The averments of the petition in brief are as follows:**

In the Petition the Petitioners have stated that one Chikkamuniswamappa S/o Anjinappa was died on 25-04-1997 at Kurubarakunte Village, Devanahalli Taluk, Bengaluru Rural District. Further due to ignorance the date of the death of the deceased Chikkamuniswamappa S/o Anjinappa was not entered in the register maintained by the concern authority i.e. respondent. That now the Petitioners have requires the death certificate of Chikkamuniswamappa S/o Anjinappa for the purpose of obtain the government benefits and for obtain the IHR Khatha. They have filed application before the Respondent and the Respondent office has issued non-availability certificate On



07-01-2023. Hence they have prayed to issue directions as sought in the petition.

3. On service of petition notice to the Respondent, the Respondent has remained absent. Hence, he has been placed ex-parte.

4. The following points that arise for the consideration of this court are as hereunder :

POINTS

1. Whether the Petitioners have made out sufficient grounds to allow this petition ?

2. What order ?

5. The Petitioner No.3 in support of their case, he has got examined himself as PW.1 and relied on the documents which are marked as Ex.P1 to P9, Ex.P.8(a) and Ex.P.9(a) and closed their side evidence.

6. Heard the arguments of learned counsel for the petitioners and perused the materials available on record.

7. The findings of this Court to the above said points are as under:

Point No.1: In the Affirmative

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



REASONS

8. Point No.1 : In support of Petitioners case, the Petitioner No.3 has filed affidavit evidence in lieu of his examination in chief and examined as PW.1. In his evidence he has stated that the deceased Chikkamuniswamappa S/o Anjinappa is great-grandfather of the petitioner No.1 to 3 and grand-father of petitioner no.4. Further stated that the deceased Chikkamuniswamappa S/o Anjinappa was died on 25-04-1997. But the said fact is not registered in the Respondent office in concern register. That now the Petitioners are requires the death certificate of the above said Chikkamuniswamappa S/o Anjinappa for the purpose of obtain the government benefits and for obtain the IHR Khatha. Ex.P1 is the non-availability certificate, which discloses that the date of death of the said Chikkamuniswamappa S/o Anjinappa is not registered in the register maintained by the Respondent. Ex.P2 is the notarized copy of family tree, which is sworn by the PW-1 himself and is clearly discloses that the petitioner No.4 is grand-daughter and petitioner no.1 to 3 are great-grand-children of deceased **Chikkamuniswamappa S/o Anjinappa. Ex.P3 to 6** are the Notarized copies of the Aadhar Cards of petitioners. **Ex.P7 is** death certificate of Late.Puttamma. **Ex.P8** is the 'Hosa Diganta' daily Kannada news paper Dtd: 29-10-2025, **Ex.P8(a)** is the paper publication portion marked in **Ex.P8**, **Ex.P9** is the 'The Business Standard' English news paper Dt: 29-10-2025, **Ex.P9(a)** is the paper publication portion marked in **Ex.P9**. In spite of receipt of notice Respondent did not appear before the



Court. Evidence of PW-1 is not challenged by the Respondent. Evidence of Petitioners are corroborated by the documentary evidence. Hence, there is no reason to disbelieve the evidence of PW1. Hence this Court is of the opinion that Petitioners have made out ground to allow this petition and accordingly this Court answered Point No.1 in the **Affirmative**.

9. Point No.2 : For the aforesaid discussion on point No.1, this court proceed to pass the following :

ORDER

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

Consequently, the Respondent is hereby directed to enter the date of death of the grandfather of the petitioner No.4 and great-grandfather of the petitioner no.1 to 3 by name **Chikkamuniswamappa S/o Anjinappa was died on 25-04-1997 at Kurubarakunte Village, Devanahalli Taluk, Bengaluru Rural District**, in the concern Deaths register maintained by the Respondent, after collecting necessary fee if any and issue certified copy of the same to the petitioners.

(Dictated to the Stenographer directly on Computer by her, in the same is corrected and pronounced by me in the open court on this the **04th day of April 2026**)



(KENCHANAGOUDA PATIL)
II Addl. Civil Judge & JMFC.
Devanahalli.

ANNEXURE

1. List of witnesses examined on behalf of Petitioners:

PW.1 Sri. C.M. Govardhan on 09.01.2026

2. List of documents marked on behalf of Petitioner:

Ex.P1 : Non-availability certificate

Ex.P2 : Notarized Copy of Family Tree

Ex.P3 to P6: Notarized Copies of Aadhara Cards of
the Petitioners

Ex.P7 : Notarized copy of death certificate of Puttamma

Ex.P8 : Hosa Diganta Kannada Daily News Paper.

Ex.P8(a) : Paper Publication Portion marked in Ex.P8.

Ex.9 : The Business Standard English News Paper.

Ex.P9(a) : Paper Publication portion marked in Ex.P9.

(KENCHANAGOUDA PATIL)
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(ORDERS PRONOUNCED IN THE OPEN COURT)

(VIDE SEPARATE ORDER)

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