



**IN THE COURT OF THE PRL. CIVIL JUDGE AND J.M.F.C
AT GOWRIBIDANUR**

Dated this 10th day of June 2026

**:: PRESENT ::
SRI. GANESHA.N
M.A., L.L.B.,
Prl. Civil Judge & J.M.F.C,
Gowribidanur.**

Crl.Misc.No.239/2026

PETITIONER :

Smt.Padmamma,
W/o Padmanabhaiah,
D/o Late. Narayanaswamy,
Aged about 61 years,
R/at Pujarlahalli village,
Thondebhavi Hobli,
Gowribidanur Taluk,
Chikkaballapur District.

(Rep. By learned counsel Sri.RC)

// Versus //

RESPONDENT:

The Chief Registrar,
Birth and Death,
Taluk Office,
Gowribidanur,
Gowribidanur Taluk,
Chikkaballapura District.

(Absent)



ORDER

The petitioner has filed this petition U/Sec.13(3) of Registration of Births and Deaths Act seeking direction of this Court to the respondent to register the death of one "Smt. Yashodamma W/o Late. Narayanaswamy" who is mother of petitioner and who died on 01.01.1960 in the death register and to issue death certificate to that effect in the interest of justice.

The petitioner case in compendious:

2. The petitioner is the daughter of Late "Smt. Yashodamma W/o Late. Narayanaswamy" who died on 01.01.1960 at Pujarlahalli village, Thondebhavi Hobli, Gowribidanur Taluk, Chikkaballapur District. The petitioner being not aware of the registration of death of "Smt. Yashodamma W/o Late. Narayanaswamy" has approached the respondent seeking issuance of death certificate of her mother, but he was issued with an endorsement stating that death of her mother was not registered in the death register and thereby she being aggrieved has knocked the doors of this Court by filing this petition.

3. In spite of due receipt of notice of the present petition, the respondent did not appear before the Court and thus he was placed absent.

4. In order to prove her case, the petitioner herself was examined as PW1 and exhibits P1 to 5 documents are marked.



5. Heard arguments advanced by the learned counsel for the petitioner and this Court perused entire materials on record. Having heard arguments and having given meticulous consideration to the documents on record, the following points would arise for determination of this Court.

POINTS

1. Whether the petitioner proves that her mother namely "Smt. Yashodamma W/o Late. Narayanaswamy" died on 01.01.1960 at Pujarlahalli village, Thondebhavi Hobli, Gowribidanur Taluk, Chikkaballapura District?
2. Whether the petitioner is entitled for the relief as sought for?
3. What order?

6. Having regard to the entire materials on record, this Court answered point Nos.1 and 2 in the **Affirmative** and Point No.3 as per final order for the following:

REASONS

7. **Point Nos.1 & 2:** Since these points are inter-connected with each other they are taken up together for determination to avoid repetition of facts and circumstances of the petition.

8. The petitioner being aggrieved of the issuance of Non-availability certificate of death of her mother i.e. "Smt.



Yashodamma W/o Late. Narayanaswamy”, has filed this petition seeking direction against the respondent to register death of her mother and to issue certificate of death.

9. PW-1 who is the petitioner herein by reiterating the contents of petition has deposed that her mother "Smt. Yashodamma W/o Late. Narayanaswamy” was died on 01.01.1960 and the respondent has issued Non-availability certificate as to issuance of death certificate which is marked at Ex.P1 and as such she requested statutory direction from this Court to the respondent to enter the date of death of her mother and to issue certificate of death.

10. The petitioner has produced copies of daily newspapers which are marked at Exs.P4 and 5. Ex.P.2 is the family tree affidavit and Ex.P.3 is the attested copy of Aadhaar card of petitioner.

11. Ex.P1 being material documents in nature clearly corroborates with oral testimony of PW1 and she clearly point out towards the answer given by the respondent.

12. The documents on record clearly corroborate with unchallenged oral testimony of PW1 and as such both oral and documentary testimony prove the grievance of the petitioner as to the requirement of registration of death of her mother namely "Smt. Yashodamma W/o Late. Narayanaswamy” who died on 01.01.1960. Sec.13(3) of Registration of Births and Deaths Act



authorizes this Court to pass an order on an application after verification of the correctness of the death. Hence this Court inclines to shown indulgence to the petitioner as sought for. Hence this Court answer Point Nos.1 and 2 in the **Affirmative**.

13. **Point No.3** : In view of above discussion made on point Nos.1 & 2, this Court proceeds to pass the following:

ORDER

Petition filed by the petitioner U/
s.13(3) of Registration of Births and
Deaths Act is hereby allowed.

The respondent is hereby
directed to register death of mother of
the petitioner namely "Smt.
Yashodamma W/o Late.
Narayanaswamy" as she was died on
01.01.1960 at Pujarlahalli village,
Thondebhavi Hobli, Gowribidanur
Taluk, Chikkaballapura District and
to issue death certificate to that effect
after collecting fee/charges if any.

*(Dictated to the Stenographer directly to the Computer and corrected and
pronounced by me in the open court on this the 10th day of June 2026).*

Sd/-
(GANESHA.N)
Prll. Civil Judge and J.M.F.C,
Gowribidanur

ANNEXURE

List of witnesses examined on behalf of the petitioner:

P.W.1 : Smt. Padmamma



List of documents marked on behalf of the petitioner:

Ex.P1 : Non-availability certificate
Ex.P2 : Family tree affidavit
Ex.P3 : Attested copy of Aadhaar card
Exs.P4 & 5: Copies of daily newspapers

List of witnesses examined on behalf of the respondent:

-NIL-

List of documents marked on behalf of the respondent:

-NIL-

**Sd/-
(GANESHA.N)
Prl. Civil Judge and J.M.F.C,
Gowribidanur**