

**IN THE COURT OF THE I ADDL. CIVIL JUDGE AND J.M.F.C.,
KADUR**

Dated this the 21st day of July 2026

P R E S E N T

**SRI. MANJUNATHACHARI D.K., B.A., LL.B.,
I ADDL. CIVIL JUDGE AND J.M.F.C.,
KADUR.**

Crl.Mis.No.380/2026

PETITIONER/S : Smt. Sakamma
W/o Manjabhovi,
Aged about 42 years,
Cooli, R/at Vaddarahatti
Village, Yagati Hobli,
Vakkalagere Post,
Chikkamagaluru District.

(Rep. by Sri. P.R.M., Advocate)

V/S

RESPONDENT: Tahasildar,
Kadur Taluk, Kadur.

(Exparte)

**ORDERS ON PETITION FILED UNDER SECTION 13(3) OF
KARNATAKA REGISTRATION OF BIRTH AND DEATH'S ACT,
1969.**

This is a petition filed by the petitioner under section
13(3) of the Registration of Births and Deaths Act, 1969.

2. The brief facts of the case of the petitioner that, the Father-in-law of petitioner by name Chikkathimmanna S/o Thimmabhovi died on 18.06.1961 at Vaddarahatti Village, Yagati Hobli, Kadur Taluk, Chikkamagaluru District. Due to oversight, but same was not entered in the death register maintained by the respondent office. That the date of death of Father-in-law of petitioner has been entered in the family records of the petitioner. In this regard the petitioner visited the respondent's office to obtain her Father-in-law of petitioner death certificate from the office of the respondent, but he has issued non-availability certificate. Thus, the petitioner has prayed to direct the respondent to register the date of death of Father-in-law of petitioner by name Chikkathimmanna S/o Thimmabhovi died on 18.06.1961 at Vaddarahatti Village, Yagati Hobli, Kadur Taluk, Chikkamagaluru District in the registers of the concerned authority.

3. Paper publication was taken by the petitioner in Snehapriya and Nada Syadri newspapers, which are daily circulating papers in the locality about the factum of death of Father-in-law of petitioner by name Chikkathimmanna S/o Thimmabhovi died on 18.06.1961 at Vaddarahatti Village, Yagati Hobli, Kadur Taluk, Chikkamagaluru District. Notice was issued to the respondent and it was served. But the respondent was failed to appear, hence respondent placed exparte and the matter was posted for recording petitioner evidence.

4. In order to prove the petition, petitioner has filed chief examination affidavit and in lieu of evidence examined as P.W.1. She has produced and got marked following documents:

- (i) Ex.P.1 is the Genealogical tree
- (ii) Ex.P.2 is the Non-availability certificate dated 15.05.2026 issued by the respondent.
- (iii) Ex.P.3 is the Notarized copy of Aadhar card of the Petitioner.

- (iv) Ex.P.4 is the Kannada newspaper Snehapriya dated 25.06.2026 and
- (v) Ex.P.5 Kannada newspaper Nada Syadri dated 25.06.2026

5. Heard the arguments and perused the petition averments and documents available on record.

6. The following points arise for my consideration:-

- 1) Whether the petitioner entitled the relief as sought in the petition?
- 2) What order?

7. My answer to the above points are as under:-

Point No.1 : In the Affirmative

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

:: R E A S O N S ::

8. **Point No.1:-** The Petitioner has reiterated the petition averments in her affidavit. Petitioner has stated that, petitioner father-in-law by name Chikkathimmanna S/o Thimmabhovi died on 18.06.1961 at Vaddarahatti Village, Yagati Hobli, Kadur Taluk, Chikkamagaluru

District. On perusal of the unchallenged evidence of P.W.1, it is satisfied that the petitioner father-in-law date of death is 18.06.1961. There are no rival claimants to disbelieve the case of the petitioner. Further, the Court does not find any reason to discard testimony of the petitioner. Therefore, the Court is of the opinion that the petition is deserved to be allowed. Therefore, I answer the point No.1 in the Affirmative.

9. Point No.2:- In view of answering point No.1, I proceed to pass the following:-

ORDER

The petition filed under Sec.13(3) of Registration of Births and deaths Act is hereby allowed.

Respondent is directed to register the factum of death of petitioner father-in-law by name Chikkathimman S/o Thimmabhovi died on 18.06.1961 at Vaddarahatti Village, Yagati Hobli, Kadur Taluk, Chikkamagaluru District.

Further the respondent is directed to issue death certificate by collecting requisite fee if any.

In the circumstances of the case, no orders as to costs.

(Dictated to the Stenographer directly on computer, computerized by her, corrected, signed to then pronounced by me in the open court on the **21st day of July 2026.**)

Sd/-

(MANJUNATHA CHARI D.K.)

I Addl. Civil Judge & JMFC,
Kadur.

ANNEXURE

List of witnesses examined for the petitioner:

P.W.1 : Smt. Sakamma.

List of documents exhibited for the petitioner:

Ex.P.1 : The Genealogical tree

Ex.P.2 : The Non-availability certificate
dated 15.05.2026 issued by
the respondent.

Ex.P.3 : Notarized copy of Aadhar card of
the Petitioner

Ex.P.4 : Kannada newspaper Sneha priya
dated 25.06.2026 and

Ex.P.5 : Kannada newspaper Nada Syadri
dated 25.06.2026.

List of witnesses examined for the respondent:

- NIL -

List of documents exhibited for the respondent:

- NIL -

Sd/-
(MANJUNATHACHARI D.K.)
I Addl. Civil Judge & JMFC,
Kadur.

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