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IN THE COURT OF THE CIVIL JUDGE & JMFC., N.R.PURA
(ITINERARY COURT)

Present : Sri. Jeethu R.S., B.A.L.,LL.M.,
Civil Judge & JMFC., N.R. Pura.

Dated : This the 5th day of August 2026.

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Petitioners : Smt. Kairunnisa,
W/o Mukthum Sab,
Aged about 68 years,
R/o Hebbe Road,
Ward No.2,
Narasimharajapura Post,
Narasimharajapura Taluk,
Chickmagalur District.
(Represented by Sri. H.A. Saju, Adv.,)

V/S

Respondent : The Chief Officer, Pattana Panchayath,
Narasimharajapura.
(Respondents – Absent)

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ORDER

The petitioner has filed this petition under section 13(3) of
Registration of Birth and Death Act seeking direction to the

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respondent to enter the date of death of father of petitioner by name Sri. Syed Imam Sab, S/o Hussain Sab as 18.6.1980 in the register maintained by the respondent authority.

2. After registration of petition notice has been issued to the respondent. Though, the said notice has been served, the respondent remained absent. The petitioner was also directed to takeout paper publication as mandated by the Hon'ble High Court of Karnataka in the decision of Muniyamma V/S Devegowda. Even after the paper publication in Kannada Newspaper, no objections were received with regard to entertaining of this petition. Hence, the case is posted for petitioner's evidence.

3. The petitioner examined herself as PW 1 and got marked Ex.P1 to P4.

4. Heard arguments on petitioner's side.

5. The following points arise for my consideration:

1) Whether the petitioner is entitled to get the death certificate of her father Sri. Syed Imam Sab, S/o Hussain Sab, who passed away on 18.6.1980?



2) What order?

6. My answer to the above points is as follows:

Point No.1 : In the affirmative.

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

REASONS

7. **POINT NO. 1** : - It is the case of the petitioner that, the petitioner and the late Saleem are the children of late Syed Imam Sab and late Kairunbee. The petitioner's brother Saleem passed away unmarried. The father of petitioner by name Sri. Syed Imam Sab, S/o Hussain Sab passed away on 18.6.1980 at his residence in Ward No. 2, Hebbe Road, N.R. Pura Taluk. The petitioner was not able to get register the death of said Sri. Syed Imam Sab, S/o Hussain Sab before the concerned authority within time, which is purely a bonafide mistake. The death certificate of Sri. Syed Imam Sab, S/o Hussain Sab is required for legal necessity. Thus, the petitioner has applied for death certificate before the respondent authority. The respondent authority has issued non-availability certificate, which is marked as Ex.P1. Further the fact of death of the father of the petitioner is

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published in the paper publication for the notice of respondent as well as the general public and the said paper publication is produced and marked as Ex.P4. Since, the petitioner has not registered the death of Sri. Syed Imam Sab, S/o Hussain Sab, the respondent authority has rightly issued non-availability certificate. Under the Act, if the information of death has not been given within one year to the respondent authority, the petitioner has to approach the court for getting the death certificate. Hence, the petitioner has filed this petition. The petitioner has examined herself as PW 1. Further, PW 1 has filed affidavit in lieu of examination in chief. Further, the PW 1 has reiterated the facts stated in the petition. The evidence of petitioner remains unchallenged. The reasons assigned by the petitioner are bonafide in nature. Under such circumstances, as there is provision under law to give direction to the respondent, it is a fit case to give direction to the respondent to register the death of Sri. Syed Imam Sab, S/o Hussain Sab as 18.6.1980 in the register maintained by the respondent authority. If the death certificate is ordered to be issued, no harm will be caused to the State. Thus, there

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is no hurdle to allow the above petition. Hence, Point No.1 is answered in the affirmative.

8. **POINT No. 2** : - For the aforesaid reasons and discussion, this court proceeds to pass the following:

ORDER

The petition filed by the petitioner under section 13(3) of Registration of Birth and Death Act is hereby allowed.

The respondent is hereby directed to enter the death of Sri. Syed Imam Sab, S/o Hussain Sab who passed away on 18.6.1980 at Ward No. 2, Hebbe Road, N.R. Pura Taluk in the register maintained by them after taking necessary charges if any.

(Dictation given to the Stenographer directly on system, typed by her, then corrected and then pronounced by me in the open court on this the 5th day of August, 2026)

Sd/-xxx 5/8/2026
(Jeethu R.S.)
Civil Judge & JMFC.,
N.R.Pura.

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ANNEXURE

List of witnesses examined for the petitioner:

PW 1 : Smt. Kairunnisa

List of witnesses examined for the respondent:

- NIL -

List of documents marked for the petitioner:

Ex.P1 : Non-availability certificate.
Ex.P2 : Genealogical tree
Ex.P3 : Copy of Aadhar Card
Ex.P4 : Paper publication
Ex.P4(a) : Relevant portion of Ex.P4.

List of documents marked for the respondent :

- NIL -

Sd/-xxx 5/8/2026
(Jeethu R.S.)
Civil Judge & JMFC.,
N.R.Pura.