

**IN THE COURT OF CIVIL JUDGE AND JMFC, SRINGERI**

**PRESENT : Sri. Jeethu R.S., B.A.L, LL.M.
Civil Judge & JMFC, SRINGERI**

DATED THIS THE 7th DAY OF MARCH, 2026

Crl. Misc. No. 4/2026

BETWEEN:

1. Laxmamma W/o Mahalingappa, : **Petitioners**
Aged about 85 years,
R/o Anegunda, Honnavalli,
Sringeri Taluk,
Chikkamagaluru District.
2. Narayana S/o Mahalingappa,
Aged about 60 years,
R/o Anegunda, Honnavalli,
Sringeri Taluk,
Chikkamagaluru District.
3. Rama S/o Mahalingappa,
Aged about 67 years,
R/o Jodukatte, Hosmar,
Karkala.
4. Jayanthi W/o Gopalakrishna,
D/o Mahalingappa,
Aged about 64 years,
R/o Chantigundi, Bidaragodu,
Sringeri Taluk.
5. Srigowri W/o Raju,
D/o Mahalingappa,
Aged about 62 years,
R/o Seebinakere, Thirthahalli Taluk,
Shivamogga District.



6. Lakshmana S/o Mahalingappa,
Aged about 53 years,
R/o Anegunda, Honnavalli,
Sringeri Taluk,
Chikkamagaluru District.

7. Rathna W/o Manjunatha,
D/o Mahalingappa,
Aged about 53 years,
R/o Kerekatte, Hosaangadi,
Siddapura.

(By Sri. Charan K.C. Advocate)

-AND-

The Registrar of Birth and Death,
Tahasildar Sringeri.

Respondent

(absent)

ORDER

The petitioner has filed the petition U/S.13(3) of Registration of Births and Deaths Act, 1969 for a direction to the respondent to register the date of death of father of Petitioner No.6 by name "**Mahalingappa S/o Venkata**" and he demised on **25.11.1985** at Anegunda, Sringeri Taluk.

2. The summary of the petition is as under:

It is the case of the petitioner that, the first Petitioner is the wife and Petitioner No. 2 to 7 are the children of "**Mahalingappa S/o Venkata**" and he demised on



25.11.1985 at Anegunda, Sringeri Taluk. After the death of husband of first petitioner's, the petitioner family members have reported the same to the concerned authority. The petitioner No.6 have approached the respondent office for issuance of death Certificate of father of Petitioner No.6. But the incident of death of father of Petitioner No.6 was not registered in the concerned register. The petitioner No.6 came to know about this fact when he approached the respondent. Thereafter he gave an application for issuance of death certificate of his father's. On 16.12.2025 the respondent informed the petitioner No.6 that the death certificate of his father is not available in the records. Hence, this petition.

3. In-spite of service of notice to the respondent, the respondent have not appeared and filed any objections to the petition. Hence, placed exparte.

4. In support of the petition, the petitioner No.6 has been examined himself as PW-1 and he got marked 4 documents as Ex.P-1 to Ex.P-4.

5. Heard the arguments.



6. The points that arise for my consideration are as under:-

Point No.1 : Whether Petitioner No.6 prove that, his father by name "**Mahalingappa S/o Venkata**" and he demised on **25.11.1985** at Anegunda, Sringeri Taluk.

Point No.2 : Whether the respondent is to be directed for registering the date of death of the father of Petitioner No.6 in the concerned register

Point No.3 : What Order?

7. My findings to the above points is as under:

Point No.1 : In the Affirmative.

Point No.2 : In the Affirmative.

Point No.3 : As per final order for the following:

REASONS

8. Point No.1 & 2: These points are inter-related to each other and hence to avoid the repetition of the facts, the Point No.1 and 2 are taken together. The petitioner No.6 examined himself as PW-1 and has reiterated the petition averments in his evidence. He has stated that, his father name is "**Mahalingappa S/o Venkata**" and he demised on **25.11.1985** at Anegunda, Sringeri Taluk. The petitioner No.6 came to know about the fact of non-availability of



death certificate of his father, when he gave an application for issuance of death certificate of his father and the respondent issued Non-Availability Certificate dated 16.12.2025 stating that, there is no entry of date of death of father of petitioner No.6.

9. Petitioner No.6 in support of his oral evidence, he has produced non-availability certificate issued by the respondent which is marked as Ex.P-1, notarized copy of G-Tree of petitioners family which is marked as Ex.P-2, Paper publication in "Hosa diganta" Kannada daily newspaper dated 20.01.2026 marked as Ex.P-3, Portion marked in Ex.P-3 which is marked as Ex.P-3(a), Notarized copy of Aadhaar Card of Petitioner No.6 which is marked as Ex.P-4. The petitioner No.6 has specifically taken paper publication against the respondent and also the public notice as per Ex.P-3 by disclosing that the father of Petitioner No.6 by name "**Mahalingappa S/o Venkata**" and he demised on **25.11.1985** at Anegunda, Sringeri Taluk. The said documentary evidence is not challenged in the trial and it remained unchallenged. Therefore, upon consideration of



the aforementioned facts and circumstances of the case, it is just and necessary to direct the respondent to record the incident of death of the father of Petitioner No.6 in the death register, otherwise petitioners will be put to irreparable loss and injustice.

10. On the other hand, the respondent have not filed any objection and lead any evidence to discard the case of petitioners. As such, there is no reasons to disbelieve the oral and documentary evidence produced by the petitioner No.6. The evidence of PW-1 clearly shows that, father of Petitioner No.6 demised on 25.11.1985 at Anegunda, Sringeri Taluk. Accordingly, the **Points No.1 & 2** under consideration are answered in the **Affirmative**.

11. Point No.3: In view of the above discussion, I proceed to pass the following:-

ORDER

Petition U/Sec.13(3) of Karnataka Births and Deaths Registration act 1969 is allowed.

Respondent is hereby directed to enter the date of death of father of petitioner No.6 by name "**Mahlingappa S/o Venkata**"



and he demised on **25.11.1985** at Anegunda, Sringeri Taluk in the concerned death Register maintained by respondent, by collecting prescribed fee.

(Dictated to the stenographer, translated and typed, corrected by me, print out taken, and then pronounced by me in the Open Court on this the 7th day of March, 2026.)

**(Sri. Jeethu R.S.)
Civil Judge & JMFC, Sringeri.**

ANNEXURE

1. Witnesses examined on behalf of Petitioner:

PW-1 : Sri. Lakshmana

2. Exhibits marked on behalf of Petitioner:

Ex.P-1 : Non-availability Certificate
Ex.P-2 : G-Tree of Petitioners family
Ex.P-3 : Hosadiganta News Paper
Ex.P-4 : Publication part of Hosadiganta News Paper
Ex.P-4(a) : Certified copy of Aadhaar Card of Petitioner No.6.

3. Witness examined on behalf of Respondent:

----- NIL -----

4. Exhibits marked on behalf of Respondent:

----- NIL -----

**(Sri. Jeethu R.S.)
Civil Judge & JMFC, Sringeri.**