

IN THE COURT OF THE PRL. CIVIL JUDGE & JMFC, AT KOLLEGAL

Dated 04th day of June 2026

**PRESENT :
KAVYASHREE M**

**B.A., L.L.B.,
Prl. Civil Judge & JMFC,
Kollegal.**

C.Mis. No.34/2026

PETITIONERS :

- 1.Smt. Pilomina
D/o Late Kolandaiswamy,
Aged about 70 years,
2. Alphones
S/o Late Kolandaiswamy,
Aged about 68 years,
3. Susaimanikayam
D/o Late Kolandaiswamy,
Aged about 64 years,
4. Selvaraj
S/o Late Kolandaiswamy,
Aged about 62 years,
5. K. Mary
D/o Late Kolandaiswamy,
Aged about 60 years,
6. Arulayi Mary
D/o Late Kolandaiswamy,
Aged about 58 years,
7. K. Sandanraj
S/o Late Kolandaiswamy,
Aged about 56 years,

All are R/at Martalli Post,
Oddaradoddi Village,
Hanur Taluk.

(By Sri. C. Kantharaju, Advocate)

Vs/-

RESPONDENT : The Commissioner,
CMC., Kollegal Town,
Kollegal Taluk,
Chamarajanagara District.

(Ex-parte)

O R D E R

This is a petition under Section 13(3) of Registration of Births and Deaths Act, 1969 filed by the petitioners seeking issuance of death certificate of one **Kolandaiswamy S/o Late Mikkel**.

2. The brief facts are as here under :

That the father of petitioners by name **Kolandaiswamy S/o Late Mikkel** was died on **10.07.2009** at **Kollegal Government Hospital, Kollegal Town, Kollegal Taluk, Chamarajanagar District**. Though the petitioners have informed to respondent to register the date of death of **Kolandaiswamy S/o Late Mikkel**, respondent has not entered the date of death due to oversight or by inadvertence. When the petitioner No.4 applied for death certificate, respondent issued non-availability certificate dated **18.12.2025**. The petitioners require the death certificate of **Kolandaiswamy S/o Late Mikkel**, to getting khatha and pahani in respect of landed properties and some other purposes. Therefore, this petition is filed seeking a direction to respondent to register the death event of **Kolandaiswamy S/o Late Mikkel** in the death register.

3. After receipt of summons, respondents have not appeared before this court and hence, respondents have been placed Ex-parte and case was proceeded with.

4. The petitioners to prove their case, petitioner No.4 got examined himself as PW-1 and got marked the documents as Ex.P-1 to Ex.P-5 and closed his side.

5. Heard the arguments. Perused the records.

6. The points that arise for my determination are:

1. Whether the petitioners are entitled for the relief claimed 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 :

REASONS

8. **POINT No.1** : The petitioners in support of petition claim, examined petitioner No.4 as PW-1 and got marked the documents as per Ex.P-1 to Ex.P.5. Ex.P.1 to Ex.P.5, i.e., Non-availability certificate, genealogy, two paper publication and Aadhar card of petitioners produced by the petitioners revealed that the date of death of **Kolandaiswamy S/o Late Mikkil** is not entered in the concerned register. He has further stated that though the date of death was informed to respondent, he has failed to register the same in the concerned register. In spite of issuance of summons, respondent remained absent. The testimony of PW-1 remained unrebutted and unchallenged. There are no reasons to disbelieve the version of petitioners. If the petition is allowed, no prejudice will be caused to the respondent. Therefore, I answer point No.1 in the 'Affirmative'.

9. **POINT No.2** : In view of the answer given to point No.1 in the Affirmative, I pass the following :

ORDER

The petition filed under Section 13(3) Of Registration of Births and Deaths Act, 1969 is hereby Allowed.

The respondent is hereby directed to register the death event of **Kolandaiswamy S/o Late Mikkal** was died on **10.07.2009** at **Kollegal Government Hospital, Kollegal Town, Kollegal Taluk, Chamarajanagar District.** in the concerned register and to issue death certificate on receiving the requisite fee.

(Typed to my dictation by the Stenographer directly on computer, then corrected, printout taken, signed and then pronounced by me in the open court on this the **04th day of June 2026**)

(Kavyashree M)
Prl. Civil Judge & JMFC,
Kollegal .

A N N E X U R E

List of witnesses examined on behalf of Petitioner :

PW.1 : Selvaraju

List of documents marked on behalf of Petitioner :

Ex.P.1 : Non-availability certificate

Ex.P.2 : Genealogy

Ex.P.3 & 4 : Two publications

Ex.P.5 : Aadhar cards

List of witnesses examined and documents marked on behalf of Respondent :

- N I L -

(Kavyashree M)
Prl. Civil Judge & JMFC,
Kollegal .

(Vide separate Order pronounced in Open Court)

:- O R D E R :-

The petition filed under Section 13(3) Of Registration of Births and Deaths Act, 1969 is hereby Allowed.

The respondent is hereby directed to register the death event of **Kolandaiswamy S/o Late Mikkel was died on 10.07.2009 at Kollegal Government Hospital, Kollegal Town, Kollegal Taluk, Chamarajanagar District.** in the concerned register and to issue death certificate on receiving the requisite fee.

(Kavyashree M)

Prl. Civil Judge & JMFC,
Kollegal.