

**IN THE COURT OF THE I ADDITIONAL CIVIL JUDGE & JMFC,
AT KOLLEGAL**

Dated 14th day of July 2026

PRESENT :

SRI. M. RANJITH KUMAR

B.A., LL.L.B.,

I Addl.Civil Judge & JMFC,
Kollegal.

Crl.Misc. No.123/2026

PETITIONERS:

1. Sri. Chinnegowda,
S/o late Mallegowda,
Aged about 80 years,
 2. Sri. Nagappa,
S/o late Mallegowda,
Aged about 75 years,
 3. Sri. T.Mallu,
S/o late Thammaiahgowda,
Aged about 55 years,
 4. Sri. Marilingegowda,
S/o late Thammaiahgowda,
Aged about 53 years,
 5. Smt. Rathnamma,
D/o late Thammaiahgowda,
Aged about 51 years,
 6. Smt. Chinnamma,
W/o late Lingappa,
Aged about 60 years,
 7. Sri. Jagadisha,
S/o late Lingappa,
Aged about 40 years,
 8. Sri. Madesha,
S/o late Lingappa,
Aged about 35 years,
- All are R/at:** B.Gundapura Village,
Hanuru Hobli & Taluk,
Chamarajanagara District.

(By Sri/Smt. T.C.G., Advocate)

Vs/-

RESPONDENT : The Tahashildar, Hanuru Taluk,
Chamarajanagara District.

(Ex-parte)

ORDER

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 **Mallegowda S/o late Marilingegowda**.

2. The brief facts are as here under :

That the father of petitioner no.1 and 2, the grandfather of petitioner no.3 to 5, 7 and 8 and the father-in-law of petitioner no.6 by name **Mallegowda S/o late Marilingegowda** was died on **13.10.1993** at **B.Gundapura Village, Hanur Taluk, Chamarajanagar District**. Though the petitioners have informed to respondent to register the date of death of **Mallegowda S/o late Marilingegowda**, respondent has not entered the date of death due to oversight or by inadvertence. When the petitioner No.1 applied for death certificate, respondent issued non-availability certificate dated **20.01.2026**. The petitioners require the death certificate of **Mallegowda S/o late Marilingegowda** 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 **Mallegowda S/o late Marilingegowda** 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.1 got examined 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. This Court 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 petitioner in support of petition claim, examined petitioner No.1 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 Adhar card of petitioners produced by the petitioner revealed that the date of death of **Mallegowda S/o late Marilingegowda** 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, this Court answer point No.1 in the 'Affirmative'.

9. **POINT No.2** : In view of the answer given to point No.1 in the Affirmative, proceeds to 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 **Mallegowda S/o late Marilingegowda** was died on **13.10.1993** at **B.Gundapura Village, Hanur 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 **14th day of July 2026**)

(M. Ranjith Kumar)

I Addl.Civil Judge & JMFC,
Kollegal.

A N N E X U R E

List of witnesses examined on behalf of Petitioner :

PW.1 : Sri. Chinnegowda

List of documents marked on behalf of Petitioner :

Ex.P.1 : Non-availability certificate

Ex.P.2 : Genealogy

Ex.P.3 : Aadhar cards

Ex.P.4 & 5 : Two paper publications

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

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(M. Ranjith Kumar)

I Addl.Civil Judge & JMFC,
Kollegal.