

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

Dated 07th day of July 2026

PRESENT :

SRI. M. RANJITH KUMAR

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

I Addl.Civil Judge & JMFC,
Kollegal.

Crl.Misc. No.402/2026

PETITIONERS:

1. Smt. Amaloprapava Mary,
W/o late Madalaimuthu,
Aged about 75 years,
2. Smt. Rajina Mary D/o late Madalaimuthu,
Aged about 53 years,
3. Smt. Arogyammal D/o late Madalaimuthu,
Aged about 51 years,
4. Smt. Mariyamadalena
D/o late Madalaimuthu,
Aged about 48 years,
5. Smt. Poulin Mary D/o late Madalaimuthu,
Aged about 46 years,
6. Sri. Anthoniswamy,
S/o late Madalaimuthu,
Aged about 45 years,
7. Smt. Anthoniyammal,
D/o late Madalaimuthu,
Aged about 44 years,

All are R/at: Sandanapalya Village,
Martalli Post, Ramapura Hobli,
Hanur Taluk, Chamarajanagara District.

(By Sri/Smt. P.D.P., 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 **Madalaimuthu S/o late Madalaimuthu**.

2. The brief facts are as here under :

That the husband of petitioner no.1 and the father of petitioner no.2 to 7 by name **Madalaimuthu S/o late Madalaimuthu** was died on **30.04.1982** at **Sandanapalya Village, Martalli Post, Ramapura Hobli, Hanur Taluk, Chamarajanagar District**. Though the petitioners have informed to respondent to register the date of death of **Madalaimuthu S/o late Madalaimuthu**, respondent has not entered the date of death due to oversight or by inadvertence. When the petitioner No.6 applied for death certificate, respondent issued non-availability certificate dated **10.02.2026**. The petitioners require the death certificate of **Madalaimuthu S/o late Madalaimuthu**, to get Government benefits. Therefore, this petition is filed seeking a direction to respondent to register the death event of **Madalaimuthu S/o late Madalaimuthu** 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.6 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.6 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 **Madalaimuthu S/o late Madalaimuthu** 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 un rebutted 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 **Madalaimuthu S/o late Madalaimuthu** was died on **30.04.1982** at **Sandanapalya Village, Martalli Post, Ramapura Hobli, 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 **07th 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. Anthoniswamy

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.