

**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.L.B.,

I Addl.Civil Judge & JMFC,
Kollegal.

Crl.Misc. No.486/2026

PETITIONERS:

1. Sri. Shivanna,
S/o Madegowda,
Aged about 52 years,
2. Smt. Suma W/o Shivanna,
Aged about 38 years,
All are R/at: Kannuru Village,
Lokkanahalli Hobli, Hanur Taluk,
Chamarajanagara District.
3. Akash S. S/o Shivanna,
Aged about 13 years,
4. Siddaraju S/o Shivanna,
Aged about years,
(Since petitioner no.3 and 4 are minor
Rep.by their natural guardian Petitioner
no.1 and 2)

(By Sri/Smt. M.S.C., 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 **Venkatamma W/o late Madegowda**.

2. The brief facts are as here under :

That the mother of petitioner no.1, the mother-in-law of petitioner no.2 and the grandmother of petitioner no.3 and 4 by name **Venkatamma W/o late Madegowda** was died on **01.03.2013** at **Kannuru Village, Lokkanahalli Hobli, Hanur Taluk, Chamarajanagar District**. Though the petitioners have informed to respondent to register the date of death of **Venkatamma W/o late Madegowda**, 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 **10.03.2026**. The petitioners require the death certificate of **Venkatamma W/o late Madegowda**, 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 **Venkatamma W/o late Madegowda** 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 **Venkatamma W/o late Madegowda** 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 **Venkatamma W/o late Madegowda** was died on **01.03.2013** at **Kannuru Village, Lokkanahalli 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. Shivanna

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 :

- N I L -

(M. Ranjith Kumar)
I Addl.Civil Judge & JMFC,
Kollegal.