

Decree in Original Suit
Suit for Decln. and
Mandatory Injunction.

Suit Filed on : **03-11-2022**
Suit disposed on: **06-06-2026**

IN THE COURT OF THE SENIOR CIVIL JUDGE & JMFC AT
HARIHARA.

O.S.No.234/2022

PRESENT: Smt.PADMASHRI A MUNNOLI
BA .(L). LL.B.,
Senior Civil Judge & JMFC,
Harihara.

Dated this the 06th day of JUNE - 2026.

PLAINTIFF ::

1. Mr.M.Virupakshappa s/o
late Nagappa Mallannanavar
Aged about 61 years,
Agriculturist,
R/o Jigali Village, Harihara Taluk.

V/s

DEFENDANTS:

1. The Tahasildar/The Registrar of
Births and Deaths
Harihara Taluk,
Harihara – 577601.
2. The Deputy Commissioner,
Davanagere District,
Davanagere.
3. The Government of Karnataka
Represented by its Chief Secretary,
Vidhana Soudha,Bangalore-I.

CLAIM ::

The Plaintiff most humbly and respectfully prays that this
Hon'ble Court may be pleased to :

a) Declare that, the brother of the Plaintiff ; Shankarappa Mallannanavar s/o Nagappa, was missing and disappeared for the last more than seven years and presumed to be dead on the date of filing of this suit.

b) Consequently to direct the defendant No.1 Tahasildhar, Harihar/Registrar of Births and Deaths and to register the date of death of the said Shankarappa Mallannanavar in their register of Births and Deaths and to issue a Death Certificate to the Plaintiff.

c) To declare that, Plaintiff, M.Virupakshappa, s/o Nagappa, is the absolute owner in possession of the suit schedule property as a nearest relative and legal representative of Shankarappa Mallannanavar s/o Nagappa.

d) Such other reliefs or further reliefs as this Hon'ble Court deems fit, in the facts and circumstances of the case, in the interest of justice and equity.

This suit is coming on this day for final disposal before me, in the presence of Sri.H.M.Shadaksharaiah Advocate for Plaintiff and Addl.Government Pleader for Defendant Nos.1 to 3.

BY JUDGMENT.

Suit of the Plaintiff for the relief of Declaration and Mandatory Injunction is hereby decreed in part as under :

It is further ordered and decreed that , it is declared that Shankarappa Mallannanavar s/o Nagappa has died a Civil Death and the defendant No.1 is directed to enter the date of death of said Shankarappa in the register of Births and Deaths maintained by them as 10.06.2010.

It is further ordered and decreed that the suit of the Plaintiff for the relief of declaration of ownership in respect of the suit property is dismissed.

It is further ordered and decreed that considering the nature of suit no order is made as to costs.

Given under my hand and the seal of the Court, this the **06th**
day of JUNE - 2026.

Sd/-

Senior Civil Judge & J.M.F.C.
Harihara.

Decree notified on : 12.06.2026
Decree is signed on : 16.06.2026.

Sd/-

Senior Civil Judge & J.M.F.C.
Harihara.

MEMORANDUM OF COSTS

	Piff.	Defendants
Court Fee paid on Complaint	Rs.50-00	--
Court Fee on I.A.	--	--
Process Fee	Rs.40-00	--
Adv. Fee (FC not filed.)	-- (FC not filed)	-- (FC not filed)
TOTAL ::	Rs.90-00	--

Sd/-

**Senior Civil Judge & J.M.F.C.
Harihara.**

SCHEDULE

Agricultural wet land bearing Survey No.151/P, measuring 01 Acre 09 guntas, situated at Yalavatti Village, Harihara Taluk, and bounded on the :

East : Channel and property of Nagappa

West : Road

North : Channel Road and

South : Property of Basavanagowda.

Sd/-

**Senior Civil Judge & J.M.F.C.
Harihara.**

