

KAHS510002742026



Presented on : 04-02-2026  
Registered on : 04-02-2026  
Decided on : 28-04-2026

**IN THE COURT OF PRL.CIVIL JUDGE AND JMFC  
AT BELUR, HASSAN**

**Presided Over by Sri.Nagendra,  
B.A., LL.B.,  
Prl.Civil Judge & JMFC, Belur.**

**Dated this, the 28<sup>th</sup> day of April 2026**

**Crl.Misc.No.135/2026**

Sri.Gurushetty  
S/o.Dharmappa @ Dharmashetty,  
Aged about 58 years,  
R/o.Jodi Thippanahalli Village,  
Halebeedu Hobli,  
Belur Taluk,  
Hassan District.

**. . . . Petitioner**

(By –Sri.M.R.Jayanna advocate)

**- Versus -**

**The Tahsildar and  
The Registrar of Births and Deaths,  
Tq:Belur, Dist:Hassan**

**.... Respondent**

**(Exparte)**

**ORDER**

The present petition has been filed by the petitioner under **Sec.13 (3) of the Registration of Births and Deaths Act 1969** seeking direction of this Court to the respondent to register the date of death of father of petitioner by name Dharmappa @ Dharmashetty S/o.Rangashetty, who was died on 25.01.2021 at petitioner's resident which is situated at Jodi

Thippanahalli Village, Halebeedu Hobli, Belur Taluk, Hassan District in the concerned death register.

2. The brief facts of the case of the petitioner is as under:

It is the contention of the petitioner that father of petitioner by name Dharmappa @ Dharmashetty S/o.Rangashetty, who was died on 25.01.2021 at petitioner's resident which is situated at Jodi Thippanahalli Village, Halebeedu Hobli, Belur Taluk, Hassan District. It is pleaded that when the petitioner has approached the respondent for the purpose of getting death certificate of father of petitioner, the respondent has not register the date of death in the concerned register. It has not been registered in the concerned register maintained by the respondent as the petitioner's family were not having knowledge to register the same. It is an authenticated document, which is required for petitioner's family relevant purpose. Further, the petitioner has filed an application before the respondent for issuing death certificate of father of petitioner, but respondent has issued non-availability certificate stating that death of petitioner's father named above is not registered in register of deaths. Hence, petitioner has filed the present petition.

3. In spite of service of notice and issuing paper publication in two daily news paper the respondent and any other person did not appear and filed objection.

4. The petitioner in order to prove his case, petitioner has got examined himself as P.W.1 and got marked 5 documents at Ex.P.1 to Ex.P.5 and closed his side.

5. I have heard learned Counsel for the petitioner.

6. After the perusal of the case, the following points would arise for my consideration:

- 1) **Whether the petitioner is entitled for the relief as sought in the petition?**
- 2) **What order?**

7. My findings on the above points are as follows:

**Point No.1: In the Affirmative**

**Point No.2: As per final order for the following:**

### **REASONS**

8. **Point No.1:** The petitioner in order to prove his case, petitioner got examined himself as P.W.1 and got marked 5 documents as Ex.P.1 to Ex.P.5. The P.W.1 in his evidence has stated that father of petitioner by name Dharmappa @ Dharmashetty S/o.Rangashetty, who was died on 25.01.2021 at petitioner's resident which is situated at Jodi Thippanahalli Village, Halebeedu Hobli, Belur Taluk, Hassan District. It is pleaded that when the petitioner has approached death registrar for the purpose of getting death certificate of father of petitioner, respondent has not register date of death in the concerned register. The petitioner has orally intimated to the respondent. Ex.P.1 is non-availability certificate issued by the respondent wherein it is mentioned that date of death of the petitioner father is not recorded in concerned register. Ex.P.2 is Genealogical tree Certificate. Ex.P.3 and Ex.P.4 are news papers published in the Kannada daily newspapers and Ex.P5 is notarized copy of Aadhaar Card. The oral and documentary evidence adduced by the petitioner is sufficient to hold that father of petitioner by name Dharmappa @ Dharmashetty S/o.Rangashetty, who was died on 25.01.2021. Accordingly, **I answer this point in the affirmative.**

9. **Point No.2**: In the result, I proceed to pass the following:

**ORDER**

The petition filed by petitioner Under Sec.13(3) of Births and Deaths Registration Act, 1969 is hereby allowed.

The respondent is directed to register the date of death of the **father of petitioner by name Dharmappa @ Dharmashetty S/o.Rangashetty, who was died on 25.01.2021 at petitioner's resident which is situated at Jodi Thippanahalli Village, Halebeedu Hobli, Belur Taluk, Hassan District** in the concerned death register and issue death certificate after collecting the late fee.

*(Dictated to the stenographer directly on computer, corrected by me and then pronounced in the Open Court on this, the **28<sup>th</sup> day of April 2026**)*

(Sri.Nagendra)  
Prl.Civil Judge & J.M.F.C,  
Belur.

**:: ANNEXURE ::**

**WITNESSES EXAMINED ON BEHALF OF THE PETITIONER:**

P.W.1: Sri.Gurushetty S/o.Dharmappa @ Dharmashetty.

**WITNESSES EXAMINED ON BEHALF OF THE RESPONDENT:**

- Nil -

**DOCUMENTS MARKED ON BEHALF OF PETITIONER:**

Ex.P.1 : Non-Availability Certificate.

Ex.P.2 : Genealogical Tree Certificate.

Ex.P.3 & 4: Newspapers publication extracts.

Ex.P5 : Notarized copy of Aadhaar Card.

**(Sri.Nagendra)**  
**Prl.Civil Judge & J.M.F.C,**  
**Belur.**