

KAHS510011432026



Presented on : 03-06-2026
Registered on : 03-06-2026
Decided on : 03-08-2026

**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 03rd day of August 2026

Crl.Misc.No.481/2026

- 1: Sri.Shanmukha Y.B.
S/o.Late Basavegowda,
Aged about 59 years,
R/o.Yakashettihalli Village,
Kasaba Hobli, Belur Taluk,
Hassan District.
Present Address
Kachanayakanahalli Village,
Jigani Hobli, Anekal Taluk,
Bangalore District.
- 2: Sri.Parameshwarappa Y.B.
S/o.Late Basavegowda,
Aged about 57 years,
R/o.Yakashettihalli Village,
Kasaba Hobli, Belur Taluk
Hassan District.
Present Address
No.30, 1st Floor, 14th Cross,
Dasarahalli Main Road,
Bhuvanashwari Nagara,
Bangalore North District.

.... petitioners

(By – Sri.Harisha advocate)

- Versus -

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

.... Respondent

(Exparte)

ORDER

The present petitioners have been filed by the petition 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 brother of petitioner No.1 and 2 by name Shadaksharaiah S/o.Late Basavegowda, who was died on 18.08.1974 at petitioners resident which is situated at Yakashettihalli Village, Kasaba Hobli, Belur Taluk, Hassan District in the concerned death register.

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

It is the contention of the petitioners that brother of petitioner No.1 and 2 by name Shadaksharaiah S/o.Late Basavegowda, who was died on 18.08.1974 at petitioners resident which is situated at Yakashettihalli Village, Kasaba Hobli, Belur Taluk, Hassan District. It is pleaded that when the petitioners have approached the respondent for the purpose of getting death certificate of brother of petitioner No.1 and 2, 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 petitioners family were not having knowledge to register the same. It is an authenticated document, which is required for petitioners family relevant purpose. Further, the petitioners have filed an application before the respondent for issuing death certificate of brother of petitioner No.1 and 2, but respondent has issued non-availability certificate stating that

death of brother of petitioner No.1 and 2 named above is not registered in register of deaths. Hence, petitioners filed the present petition.

3. In spite of service of notice, the respondent did not appear and hence placed exparte. In spite of issuing paper publication in daily news paper no body appeared and filed objection.

4. The petitioners in order to prove their case petitioner No.1 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 petitioners.

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

- 1) **Whether the petitioners are 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 petitioners in order to prove their case petitioner No.1 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 brother of petitioner No.1 and 2 by name Shadaksharaiah S/o.Late Basavegowda, who was died on 18.08.1974 at petitioners resident which is situated at Yakashettihalli Village, Kasaba Hobli, Belur Taluk, Hassan District. It is pleaded that when the petitioners have approached death registrar for the purpose of getting death certificate of brother of petitioner No.1 and 2,

respondent has not register date of death in the concerned register. Ex.P.1 is non-availability certificate issued by the respondent wherein it is mentioned that date of death of the brother of petitioner No.1 and 2 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.P.5 is notarized copy of Aadhaar Card. The oral and documentary evidence adduced by the petitioners is sufficient to hold that brother of petitioner No.1 and 2 by name Shadaksharaiah S/o.Late Basavegowda, who was died on 18.08.1974. 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 petitioners 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 **brother of petitioner No.1 and 2 by name Shadaksharaiah S/o.Late Basavegowda, who was died on 18.08.1974 at petitioners resident which is situated at Yakashettihalli Village, Kasaba 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 **03rd day of August 2026**)*

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

:: ANNEXURE ::**WITNESSES EXAMINED ON BEHALF OF THE PETITIONERS:**

P.W.1: Sri.Shanmukhaiah Y.B. S/o.Late Basavegowda.

WITNESSES EXAMINED ON BEHALF OF THE RESPONDENT:

- Nil -

DOCUMENTS MARKED ON BEHALF OF PETITIONERS:

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.