

KAHS610012492026



**THE COURT OF THE I ADDL. CIVIL JUDGE &
J.M.F.C., CHANNARAYAPATNA.**

PRESENT:- **Sri.Purushothama T.P**

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

I Addl. Civil Judge & J.M.F.C.,
Channarayapatna.

Dated this the 3rd day of June 2026

Crl. Misc. No. 202/2026

Petitioners :-

1. Nanjegowda,
S/o Late Javaregowda
Aged about 47 Years,
2. Ningamma,
W/o Late Hucchegowda,
Aged about 65 Years,
3. Preema W/o Late Manjegowda
Aged about 48 Years,
4. Vasantha
W/o Nanjegowda,
Aged about 45 Years,
5. Bhavani
D/o Late Manjegowda,

Aged about 25 Years,

6. Murali S/o Late
Manjegowda,
Aged about 23 Years,
All are in:
Kodihalli Village,
Dandiganahalli Hobli,
Channarayapatana Taluk,
Hassan District.

7. Sudhamani W/o Kumar,
Aged about 36 Years,
1st cross kurubgeri
Chamaraja Mohalla,
Mysore district.

(By Sri S.G.R Adv.)

V/s

Respondent/s :-

The Tahasildar,
The Chief Registrar of Births and Deaths,
Channarayapatna Taluk.

(Absentee)

ORDER

The present petition is filed by the petitioners under section 13(3) of The Registration of Births and Deaths Act, 1969.

2. For the reasons stated in the petition, the petitioners have prayed for issuance of direction to the respondent to register the death event of Mother of Petitioner No.1, Sister-in-law of Petitioner No.2, Mother-in-law of Petitioner No.3 and 4, Grandmother of Petitioner No.5 and 6, Aunt of Petitioner No.7 by name **Lakshmamma W/o Javaregowda as 09.06.2000.**

3. In spite of service of notice, the respondent is absent before the court and as such his objection was considered as nil. The matter was posted for enquiry of the petitioners.

4. In order to substantiate their case, the petitioner got examined himself as PW-1 and got marked documents at Ex.P-1 to P-5. Thereafter, the petitioners closed evidence on their behalf.

5. Heard arguments by the learned counsel for the petitioners and perused the materials on record.

6. The points that arise for the consideration of the court are:

1. Whether the petitioners are entitled for the relief sought?

2. What order?

7. On consideration of the materials placed on record, this court answers the aforesaid points as here under:

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

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

REASONS

8. Point No. 1 : As aforesaid the petitioner No.1 got examined himself as PW-1 and he has deposed to fact that Mother of Petitioner No.1, Sister-in-law of Petitioner No.2, Mother-in-law of Petitioner No.3 and 4, Grandmother of Petitioner No.5 and 6, Aunt of Petitioner No.7 by name **Lakshamma W/o Javaregowda as 09.06.2000** at his residence situated at Kodi (Sagathavalli Dakle) Village, Dandiganahalli hobli, Channarayapatna taluk, Hassan district. Further, he has deposed that he has filed the present petition for obtaining the death certificate of Mother of Petitioner No.1, Sister-in-law of Petitioner No.2, Mother-in-law of Petitioner No.3 and 4, Grandmother of Petitioner No.5 and 6, Aunt of Petitioner No.7 and

there are no other legal heirs to Grandmother of Mother of Petitioner No.1, Sister-in-law of Petitioner No.2, Mother-in-law of Petitioner No.3 and 4, Grandmother of Petitioner No.5 and 6, Aunt of Petitioner No.7. Further, he has deposed that now to Change the katha, Mother of Petitioner No.1, Sister-in-law of Petitioner No.2, Mother-in-law of Petitioner No.3 and 4, Grandmother of Petitioner No.5 and 6, Aunt of Petitioner No.7 is in need of death certificate of Mother of Petitioner No.1, Sister-in-law of Petitioner No.2, Mother-in-law of Petitioner No.3 and 4, Grandmother of Petitioner No.5 and 6, Aunt of Petitioner No.7.

9. The petitioner in support of their case, he has relied upon Ex.P-1 which is the non-availability certificate issued by the office of the respondent, Ex.P-2 is the genealogical tree, Ex.P-3 Aadhar card, ExP-4 & 5 are paper publications.

10. As stated supra, the respondent has remained absent before the court. The evidence of PW-1 has thus remained unchallenged and un-rebutted. Mother of Petitioner No.1, Sister-in-law of Petitioner No.2, Mother-in-law of Petitioner No.3 and 4, Grandmother of Petitioner No.5 and 6, Aunt of Petitioner No.7, was not registered. Ex.P-4 and P-5 are goes to show that the date of Mother of Petitioner No.1,

Sister-in-law of Petitioner No.2, Mother-in-law of Petitioner No.3 and 4, Grandmother of Petitioner No.5 and 6, Aunt of Petitioner No.7 is not disputed by any other persons. Wherefore if the relief sought by the petitioner is declined, they will be put to hardship. That apart there is nothing on record to disbelieve the evidence lead by the PW-1. Under these circumstances, this court has no other alternative than to accept the evidence of PW-1. Accordingly, this court answers the **point No.1 in the affirmative.**

11. Point No.2 : In the light of foregoing discussions, this court proceeds to pass the following:

:: O R D E R ::

The petition filed under section 13(3) of The Registration of Births and Deaths Act, 1969 is hereby allowed.

The respondent is hereby directed to make proper entry in respect of date of death of Mother of Petitioner No.1, Sister-in-law of Petitioner No.2, Mother-in-law of Petitioner No.3 and 4, Grandmother of Petitioner No.5 and 6,

Aunt of Petitioner No.7 by name
Lakshmamma W/o Javaregowda as
09.06.2000 at his residence situated at
Kodi (Sagathavalli Dakle) Village,
Dandiganahalli hobli, Channarayapatna
taluk, Hassan district..

The respondent shall collect the
prescribed fee from the petitioners.

No order as to cost.

(Dictated to the typist directly on computer, typed by her, corrected, signed
and then pronounced by me in the open court this **3rd day of June 2026.**)

(PURUSHOTHAMA T.P)
I Addl. C.J. & JMFC,
Channarayapatna.

A N N E X U R E

1. List of Witnesses examined by the petitioner/s :-

PW-1 - Nanjegowda

2. List of documents marked by the petitioner/s :-

Ex.P-1 - Non availability certificate

Ex.P-2 - Genealogical tree

- Ex.P-3 - Aadhar card
ExP-4 - Hosa Digantha Kannada daily
Newspaper dated: 14.03.2026
Ex.P-5 - Nadasahyadri Kannada daily
Newspaper dated: 14.03.2026

3. List of witnesses examined & documents marked by the respondent:-

NIL

(PURUSHOTHAMA T.P)
I Addl. C.J. & JMFC,
Channarayapatna.

(vide separate order pronounced in Open Court)

The petition filed under section 13(3) of The Registration of Births and Deaths Act, 1969 is hereby allowed.

The respondent is hereby directed to make proper entry in respect of date of death of Mother of Petitioner No.1, Sister-in-law of Petitioner No.2, Mother-in-law of Petitioner No.3 and 4, Grandmother of Petitioner No.5 and 6, Aunt of Petitioner No.7 by name **Lakshmamma W/o Javaregowda as 09.06.2000** at his residence situated at Kodi (Sagathavalli Dakle) Village, Dandiganahalli hobli, Channarayapatna taluk, Hassan district..

The respondent shall collect the prescribed fee from the petitioners.

No order as to cost.

(PURUSHOTHAMA T.P)
I Addl. C.J. & JMFC,
Channarayapatna.