

KAHS610013582026



IN THE COURT OF THE PRL. CIVIL JUDGE & JMFC,
AT CHANNARAYAPATNA

PRESENT:- Smt. KUSUMA V., B.A.L., LL.B.,
Prl. Civil Judge & JMFC,
Channarayapatna.

Dated this the 03rd day of June 2026
CRL. MISC. NO.222/2026

Petitioner :-

Shivegowda @ Muddappa,
S/o Late Ningegowda,
Aged about 84 years,
Residing at:
Gooramaranahalli Village,
Kasaba Hobli,
Channarayapatna Taluk,
Hassan District.

(By Sri. CBH. Adv.)

V/s

Respondent :-

The Chief Officer,
Registrar Birth and Death,
Taluk Office,
Channarayapatna Taluk.
Channarayapatna.

(Absentee)

O R D E R

The present petition is filed by the petitioner under section

13(3) of The Registration of Births and Deaths Act, 1969.

2. For the reasons stated in the petition, the petitioner has prayed for issuance of direction to the respondent to register the death event of his wife by name **SMT. NINGAMMA W/O SHIVEGOWDA @ MUDDAPPA** as **02.10.2004**.

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 his case, the petitioner got examined himself as PW-1 and got marked documents at Ex.P-1 to P-5. Thereafter, the petitioner closed evidence on his behalf.

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

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

1. Whether the petitioner is 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 got examined himself as PW-1 and he has deposed to fact that himself is the husband of deceased SMT. NINGAMMA W/O SHIVEGOWDA @ MUDDAPPA and his wife SMT. NINGAMMA was died on 02.10.2004 at situated at Gooramaranahalli Village, Kasaba Hobli, Channarayapatna Taluk, Hassan District. Further, he has deposed that he has filed the present petition for obtaining the death certificate of his wife and there are no other legal heirs to his wife. Further, he has deposed that now to change khatha, he is in need of death certificate of his wife.

9. The petitioner in support of his 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 Genealogical tree, Ex.P.3 is notarized order copy of Aadhaar card pertaining to the petitioner and Ex.P-4 & Ex.P-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. Ex.P-1 clearly goes to show that the death event of wife of petitioner was not registered. Ex.P-4 and P-5 are goes to show that the date of death of wife of petitioner is not disputed by any other persons. Wherefore if the relief sought by the petitioner is declined, he 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 wife of petitioner by name **SMT. NINGAMMA W/O SHIVEGOWDA @ MUDDAPPA as 02.10.2004** at Gooramaranahalli Village, Kasaba Hobli, Channarayapatna Taluk, Hassan District.

The respondent shall collect the prescribed fee from the petitioner.

No order as to cost.

(Dictated to the stenographer directly on computer, typed by her, corrected, signed and then pronounced by me in the open court this **03rd day of June 2026.**)

(Smt. Kusuma V)
Prl. C.J. & JMFC,
Channarayapatna.

A N N E X U R E

1. List of Witnesses examined by the petitioner :-

PW-1 : Shivegowda @ Muddappa

2. List of documents marked by the petitioner:-

Ex.P-1 : Non availability certificate

- Ex.P-2 : Genealogical tree
- Ex.P-3 : Notarized copy of Aadhar card of
petitioner
- Ex.P-4 : Hosa Digantha Kannada daily news paper
- Ex.P-4(a) : Citation advertisement dated: 14-03-2026
- Ex.P-5 : Nadasahyadri Kannada daily news paper
- Ex.P-5(a) : Citation advertisement dated: 14-03-2026

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

NIL

(Smt. Kusuma V)
Prl. C.J. & JMFC,
Channarayapatna.

(Order Pronounced in open court,
Vide separate Order)

ORDER

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 wife of petitioner by name **SMT. NINGAMMA W/O SHIVEGOWDA @ MUDDAPPA as 02.10.2004** at Gooramaranahalli Village, Kasaba Hobli, Channarayapatna taluk, Hassan District.

The respondent shall collect the prescribed fee from the petitioners.

No order as to cost.

(Smt. Kusuma V.)
Prl. C.J. & JMFC, C.R Patna