

KAHS610023982026



**IN THE COURT OF II ADDL CIVIL JUDGE AND JMFC
AT CHANNARAYAPATNA, HASSAN**

PRESENT:- Smt. **Joyline Mendonca**, B.A., LL.B.,
II Addl. Civil Judge & JMFC,
Channarayapatna.

Crl.Misc./464/2026

DATED 10th DAY OF AUGUST 2026

Petitioners/s

1. Indramma W/o Basavegowda
Aged about 71 years
2. Neelamma W/o Chandrashekara
Aged about 70 years
3. Bharathi W/o Basavegowda
Aged about 57 years
4. Nethravathi W/o Kumara
Aged about 51 years
5. Lingamma W/o late Lingaraju
Aged about 48 years
6. Ranjith.L S/o late Lingaraju
Aged about 30 years

All are R/o Sosalgere village
Nuggehalli Hobli
Channarayapattana Taluk
Hassan District.

(By Sri A.G.D Adv,)

-V/s-

Respondent/s : Tahashildhar, Taluk Office
Channarayaptna Taluk,
Hassan District.

(Exparte)

ORDER ON MAIN PETITION

The petitioners have filed this Petition under Section 13(3) of Registration of Births and Deaths Act, 1969 seeking direction to Respondent to enter the event of death of **Jayamma W/o late Rangegowda** who is the mother of petitioner no.1 to 4, mother-in-law of petitioner no.5, grandmother of petitioner no.6 is died on 10.05.1970 in the house of petitioners situated at Sosalgere village, Nuggehalli Hobli, Channarayapatna Taluk, Hassan District in the register of births and deaths.

2. In the Petition, the petitioners have stated that **Jayamma W/o late Rangegowda** who is the mother of petitioner no.1 to 4, mother-in-law of petitioner no.5, grandmother of petitioner no.6 is died on 10.05.1970 in the house of petitioners situated at Sosalagere village, Nuggehalli Hobli,, Channarayapatna Taluk, Hassan District. The petitioners have informed about the death of **Jayamma W/o late Rangegowda** to the Respondent office and they were under the impression that the death date was registered in the concerned registry maintained by the Respondent. The petitioners approached the Respondent office to avail the death certificate of **Jayamma W/o late Rangegowda** but the Respondent had not entered the death date, instead has issued Non-availability Certificate on 19.01.2026 stating that no entry is made in the register. It is further stated that the death certificate of **Jayamma W/o late Rangegowda** is now required for the petitioners to change the katha of the properties. Hence,

the petitioners have prayed to issue direction as sought for in the petition and issue death certificate.

3. On service of petition notice, the Respondent has remained absent. Hence, the Respondent has been placed exparte. Further, the petitioners duly complied the orders of this Court by publishing the public notice in two daily newspapers. Even after publication no one appeared before the Court and hence the case was posted for recording of petitioners evidence.

4. The points that arise for the consideration of this Court are:

POINTS

1. Whether the petitioners have made out sufficient grounds to issue directions as sought for in the petition?

2. What Order?

5. The petitioner No.6 in support of his case examined himself as P.W-1 and relied on the documents which are marked as Exhibits P-1 to P.10.

6. Heard the arguments of learned counsel for the petitioners and perused the materials on record.

7. The findings of this Court to 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:** In support of petitioners case, the petitioner No.6 has filed affidavit evidence in lieu of his examination in chief as PW-1. In his evidence, he has stated that **Jayamma W/o late Rangegowda** who is the mother of petitioner no.1 to 4, mother-in-law of petitioner no.5, grandmother of petitioner no.6 is died on **10.05.1970** in the house of petitioners situated at Sosalagere village Nuggehalli Hobli,, Channarayapatna Taluk, Hassan District. The petitioners have informed about the death of **Jayamma W/o late Rangegowda** to the Respondent office and they were

under the impression that the death date was registered in the concerned registry maintained by the Respondent. The petitioners approached the Respondent office to avail the death certificate of **Jayamma W/o late Rangegowda** but the Respondent had not entered the death date instead has issued Non-availability Certificate on 19.01.2026 at Ex.P-1 which discloses that the date of death of the said **Jayamma W/o late Rangegowda** is not registered in the register maintained by the Respondent. Ex.P.2 is the notarized copy of Genealogical Tree, it shows that deceased Jayamma is the mother of petitioner no.1 to 4, mother-in-law of petitioner no.5, grandmother of petitioner no.6. Ex.P.3 to 8 are notarized copies of Aadhar card of the Petitioners. Two newspaper publications i.e., Hosadigantha and Prakashamana dt: 06.06.2026 which are marked as Ex.P.9 and Ex.P.10 deposited before the Court that the death certificate of **Jayamma W/o late Rangegowda** is now required for the petitioners to change the katha of the

properties. In spite of receipt of notice, Respondent did not appear before the Court. The evidence of P.W.1 has remained unchallenged and unrebutted by the Respondent without undergoing the test of the cross examination. Hence, this Court is of the opinion that the petitioners have established that **Jayamma W/o late Rangegowda** died on 10.05.1970 and they are entitled for the relief as sought for. The relief granted to the petitioners under summary enquiry is for limited purpose. The death certificate to be issued shall not construe as conclusive proof of death. **With these observations, this Court has answered Point No.1 in the AFFIRMATIVE.**

9.**POINT NO.2:** For the aforesaid discussions on Point No.1, 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 enter the date of death of the **Jayamma W/o late Rangegowda** who is the mother of petitioner no.1 to 4, mother-in-law of petitioner no.5, grandmother of petitioner no.6. is died on **10.05.1970** in the house of petitioners situated at **Sosalagere village Nuggehalli Hobli, Channarayapatna Taluk, Hassan District** in the relevant registers maintained by the Respondent after collecting necessary fee if any and issue death certificate to the petitioners.

Issue intimation accordingly.

(Orders dictated to the Stenographer directly on computer, corrected and then pronounced by me in the open Court on this the **10th day of August 2026**)

(Joyline Mendonca)
II Addl Civil Judge & J.M.F.C.,
Channarayapatna.

ANNEXURE

1. List of witnesses examined on behalf of petitioners:

PW-1 : Ranjith

2. List of documents marked on behalf of petitioners:

- Ex.P.1 : Non-Availability certificate.
- Ex.P.2 : Notarized copy Genealogical Tree
- Ex.P.3 to 8 : Notarized copies of Aadhar card of
Petitioners
- Ex.P.9 : Hosadigantha daily newspaper.
- Ex.P.10 : Prakashamana daily newspaper.

(Joyline Mendonca)

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