



**IN THE COURT OF THE CIVIL JUDGE & JMFC, AT  
BYADGI.**

**PRESENT**

**Sri. Suresh Wagganavar, M.A.LLB(Spl).,**  
Civil Judge & JMFC,  
Byadgi.

**Dated this the 10<sup>th</sup> day of March-2026**

**CRL.MISC.No.14/2026**

Smt.Ratnavva W/o Fakkirappa Masagi  
Age: 55 years, Occ: Coolie,  
R/o: Neharu Nagar Byadgi, Tq: Byadgi,  
Dist: Haveri.

**(By Sri.M.B.H., Advocate)**

**.....PETITIONER.**

**//Versus//**

Chief Officer  
Birth and Death Registrar,  
TMC Byadgi, Tq: Byadgi, Dist: Haveri.

**(Absent)**

**...RESPONDENT.**



**ORDERS**

1. The petitioner has filed this petition against the respondent U/Sec.13(3) of Births and Deaths Registration Act, seeking direction to the respondent to enter the death date of mother of petitioner by name **Smt.Parvatevva W/o Fakkirappa Kodihalli** died as on 01.08.2007 at Byadgi village of Byadgi Taluk.

2. **The averments of the petition in brief are as under:**

That the petitioner is the daughter of deceased **Smt.Parvatevva W/o Fakkirappa Kodihalli**. The deceased **Smt.Parvatevva W/o Fakkirappa Kodihalli** died as on 01.08.2007 at the house. Due to oversight, inadvertence, confusion and ignorance of Law and the fact of reporting date of death was not known to the petitioner and her family members, the date of death of petitioner was not registered by the TMC, Byadgi and same is not intentional. Further, after due verification of records, the respondent issued endorsement i.e. Non-availability Certificate. Further, the petitioner requires death certificate for the



purpose of Government and other benefits. Hence, the petitioner prayed to allow the petition.

**3.** After filing of the petition, notices of the same were given to the respondent and also paper publication was issued calling upon the public at large, all concerned to appear and contest the matter by filing objections if any. The said notice has been duly served upon the respondent. He has not appeared. Further there was no any objection filled by the public at large who are all concerned. Thereafter, the petitioner in order to establish her claim got examined herself as P.W.1.

**4.** Heard arguments.

**5.** The following points arise for consideration of this court :

***1. Whether the petitioner has made out grounds for allowing the present petition?***

***2. What Order?***

**6.** The findings to the above Points of this court are as



under:

- POINT NO.1 : In the Affirmative.**  
**POINT NO.2 : As per final order for the following: -**

**REASONS**

**7. POINT NO.1**:- The petitioner in this case got examined herself as P.W.1 by reiterating the contents of the petition and in proof of the same, she got marked Ex.P.1 to Ex.P.3.

**8.** Ex.P-1 is the Non-Availability Certificate. Ex.P-2 and Ex.P-3 are the Paper Publications.

**9.** I have perused the oral and documentary evidence available on record. It appears that, the mother of the petitioner by name **Smt.Parvatevva W/o Fakkirappa Kodihalli** died as on 01.08.2007 was not registered in the death register maintained by the respondent. Further, the petitioner has produced the Daily Newspapers as per Ex.P-2 and Ex.P-3 respectively. But nobody has appeared.



**10.** The notice was served on the respondent, but he has not filed objection. Further it is to be noted that, inspite of issuance of notice, public at large who are concerned, did not appear before this court and none of the public at large challenged the case of the petitioner. The petition averments and the evidence of P.W.1 remained unchallenged by the respondent and others. Hence, there are no reasons to disbelieve the case of the petitioner. Further the death of deceased **Smt.Parvatevva W/o Fakkirappa Kodihalli** is not disputed by the respondent. In the normal course the death certificate for the purpose of Government and other benefits. Hence, this court answered **Point No.1 in the Affirmative.**

**11. POINT NO.2:** - In view of the above discussion, this court proceeds to pass the following:

**ORDER**

The Petition filed by the Petitioner  
U/Sec.13 (3) of Registration of Birth and  
Death Act is hereby allowed.



The respondent is directed to enter the date of death of mother of the petitioner by name **Smt.Parvatevva W/o Fakkirappa Kodihalli** died as on 01.08.2007 at Byadgi village of Byadgi Taluk in the Death Register maintained by him and issue Death Certificate after collecting the necessary fees.

(Dictated to the Stenographer directly on computer, after typed by her, corrected and then pronounced by me in the open court on this the **10<sup>th</sup> day of March - 2026**).

**(Suresh Wagganavar)**  
**Civil Judge & JMFC,**  
**Byadgi.**

**ANNEXURE**

**List of the Witnesses examined on behalf of Petitioner:**

P.W.1 : Ratnavva W/o Fakkirappa Masagi.

**List of the Documents marked on behalf of Petitioner:**

Ex.P-1 : Non-Availability Certificate.  
Ex.P-2 & 3 : Paper publications.

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**List of the Witnesses examined on behalf of Respondent:**

**--Nil--**

**List of the Documents marked on behalf of Respondent:**

**--Nil--**

**Sd/-  
(Suresh Wagganavar)  
Civil Judge & JMFC,  
Byadgi.**