



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

DATED THIS THE 06th DAY OF AUGUST 2026

PRESENT: **Parashuram F. Doddamani,**
M.A.,L.L.M.,
 Sr. Civil Judge & JMFC,
 Hirekerur.

Crl Misc. No.116/2026

PETITIONERS:-	1	Sureshappa S/o Karabasappa Harijan Age: 50 years, Occ: Coolie, R/o: Varaha, Tq:Hirekerur, Dist: Haveri.
	2	Shivakka W/o Donneppa Madar Age: 52 years, Occ: Coolie, R/o Chikkayadachi, Tq: Rattihalli, Dist: Haveri.
		[By Sri. D.T.Tirukappanavar, Adv.]
		-V/s-
RESPONDENTS:-	1	The Tahasildar, Birth and Death Register, Tahasildar Office, Hirekerur, Tq: Hirekerur, Dist: Haveri.
	2	Village Accountant Varaha village, Tq: Hirekerur, Dist: Haveri.
		[Ex-Parte]

ORDER

The petitioners have filed this petition U/Sec.13(3) of the Registration of Births and Deaths Act, 1969 for issuance of death



Certificate of their father by name **Karabasappa S/o Duragappa Harijan**, who died on 23.01.2025 at Varaha village, Hirekerur Tq, Haveri Dist.

2. **The brief facts of the petitioners' case is that:**

The father of petitioners by name **Karabasappa S/o Duragappa Harijan**, who died on 23.01.2025 at Varaha village, Hirekerur Tq, Haveri Dist. The petitioners does not inform the date of death of **Karabasappa S/o Duragappa Harijan** to the respondents office due to lack of legal knowledge and the said mistake is a bonafide not an intentional one. The petitioners made effort to get death certificate and filed an application before the respondents office. The respondents gave non-availability certificate. The death certificate of **Karabasappa S/o Duragappa Harijan** is required to change Khata extracts.

3. After registering the case, notice has been issued to the respondents. Inspite of due service of notice, the respondents failed to appear before the Court. After due publication in the two news paper nobody appeared before the court to claim any objections. Hence, the respondents placed as ex-parte.

4. In order to prove their case, the petitioner No.1 filed affidavit in lieu of examination in chief, examined as **PW-1** and got marked 6 documents as **Ex.P-1 to Ex.P.6**.

5. Heard Learned counsel for petitioners.

6. Points for my consideration is as follows:-



1. Whether the petitioners have made out sufficient grounds to direct the respondents to register the date of death of **Karabasappa S/o Duragappa Harijan** in the concerned register?
 2. What Order?
7. My answer to the aforesaid point is as follows;

Point No.1 : In the Affirmative,

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

::REASONS::

8. **Point No.1:-** PW-1/Petitioner No.1 deposed that his father by name **Karabasappa S/o Duragappa Harijan**, was died on 23.01.2025 at Varaha village, Hirekerur Tq, Haveri District. Due to lack of legal knowledge, they did not inform the death their father to the respondents. The petitioners have filed an application to the respondents and pray for issue of death certificate of their father. The respondents issued an endorsement stating that, there is no entry of death in the concerned register. Now the petitioners are required the death certificate of their father to change Khata extracts. The non-availability Certificate is marked as **Ex.P-1**, notarized copies of Adhaar cards are marked as **Ex.P-2 and 3**, Genealogy Tree is marked as **Ex.P-4**, The Udayavani and Mudana daily News Papers are marked as **Ex.P-5** and **Ex.P-6** respectively. The portion of publication are marked as **Ex.P-5(a)** and **Ex.P-6(a)**.



9. On perusal of these documents, it is found that, the petitioners are the children of deceased **Karabasappa S/o Duragappa Harijan**. After due publication of the petition citation/public notice in Udayavani and Mudana Daily News Papers dated 09.04.2026. No one has come before the Court to protest the petition so as to dispute the relationship of the petitioners with the deceased and date of death of deceased etc., Hence, there is sufficient grounds to allow the petition and the oral and documentary evidence of PW-1 remained unchallenged and undisputed. If the date of the death of any person was not registered in the concerned register of appropriate authority for any reasons, it cannot be denied in getting the registration of the same. Hence, I am of the opinion that if the application is allowed no injustice or hardship will be caused to the respondents or anybody. Accordingly, the **point No.1** is answered in the **Affirmative**.

10. **Point No.2 :-** On the aforesaid reasons on point No.1, I proceed to pass the following:-

:: ORDER ::

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

The Respondents are directed to register the date of death of **Karabasappa S/o Duragappa Harijan** on 23.01.2025 in the



Death Register after receipt of prescribed fee
from the petitioners.

No order as to costs.

(Dictated to the stenographer directly on the computer, typed by his, printout taken by his and corrected by me and then pronounced by me in the open court on this the 06th day of August 2026)

(Parashuram F. Doddamani)
Sr. Civil Judge & JMFC,
Hirekerur.

ANNEXURE

1. List of Witnesses examined by the petitioner.

PW.1 : Suresh S/o Karabasappa Harijan

2. List of documents marked by the petitioner.

Ex.P-1 : Non Availability Certificate

Ex.P-2 & 3: Notarized copy of Aadhaar card.

Ex.P-4 : Genealogy

Ex.P-5 & 6: Paper publications

3. List of witnesses examined by the respondents:

-Nil-

4. List of documents marked by the respondents:

-Nil-

Sr. Civil Judge & JMFC,
Hirekerur.