

KAKL200004542026



**IN THE COURT OF I ADDL. CIVIL JUDGE & J.M.F.C. AT
BANGARPET**

:: PRESENT ::

SRI. CHANDRASHEKHAR ALABUR,
B.A., LL.B., (Hons)
I ADDL., CIVIL JUDGE & JMFC., BANGARPET.

C.M.C. NO.192/2026

DATED THIS 18th DAY OF JULY 2026

PETITIONER/S:

- 1. Narayanamma,**
W/o Late Nageshappa,
Aged about 82 years.
- 2. Venkatamma,**
W/o Srinivasappa,
D/o Late Nageshappa,
Aged about 62 years,
R/at No.46, Yadahalli,
Kolar.
- 3. Manjula,**
W/o Late Sreeramappa,
Aged about 48 years.
- 4. Pradeep,**
S/o Late Sreeramappa,
Aged about 35 years.
- 5. Narayanaswamy,**
S/o Late Nageshappa.

:2:

CMC.192/2026

Petitioner Nos.1, 3 to 5 are
R/at Pakarahalli Village,
Hudukula Post, Kasaba Hobli,
Bangarpet Taluk.

(Rep., by **Sri. Rame Gowda** - Advocate)

-V/S-

RESPONDENT/S:

The Tahsildar,
Bangarpet,
Bangarpet Taluk.

(Absent)

:O R D E R:

The petitioners have filed the petition under Section 13(3) of Registration of Births and Deaths Act, 1969 seeking issuance of direction to the respondents to issue the death certificate of petitioner No.1's husband, petitioner No.2 & 5's father, petitioner No.3's father-in-law and petitioner No.4's grandfather.

2. In the petition, the petitioners have stated that, petitioner No.1 is wife, petitioner No.2 is daughter, petitioner No.3 is daughter-in-law, petitioner No.4 is grandson and petitioner No.5 is son of Nageshappa S/o Narasimhappa @ Narasingappa @ Kadirivathi Puttappa of Pakarahalli Village, Kasaba Hobli, Bangarpet Taluk. Further stated that, the deceased Nageshappa S/o Narasimhappa @

Narasingappa @ Kadirivathi Puttappa, died on 05.03.2019 in his resident at Pakarahalli Village, Kasaba Hobli, Bangarpet Taluk. Further the petitioner No.3 and 4 are wife and son of Late Sreeramappa, who is son of deceased Nageshappa.

3. It is stated that the death particulars of deceased Nageshappa is not entered in the concerned registry maintained by the respondent. It is further submitted that the petitioners requires death certificate of the deceased Nageshappa for change of Khata. When the petitioners applied to furnish death certificate of the deceased Nageshappa the respondent has issued non-availability certificate on 20.01.2026 stating that the death is not registered in the death register. Accordingly, the petitioners have prayed to allow the petition.

4. The respondent is placed *ex-parte* since they have not appeared before the Court despite service of notice.

5. The petitioner No.5 examined himself as P.W.1 and got 05 documents marked Exs.P.1 to 05 to prove his case. The cross-examination of P.W.1 is taken as nil.

6. I have heard the argument of learned counsel for the petitioners and perused the materials.

7. The points for consideration are as under:-

1. Whether the petitioners have made out sufficient grounds to allow the petition ?
2. What Order ?

8. The answers to points above are:-

Point No.1 : **In the Affirmative.**
Point No.2 : As per final order.

REASONS

9. POINT NO.1:- PW.1 has deposed as averred in the petition. Ex.P1 is the non availability certificate issued by respondent on 20.01.2026. It shows that the death particulars of the Nageshappa S/o Narasimhappa alias Narasingappa alias Kadirivathi Puttappa is not entered in death register.

10. The petitioners have informed about the death particulars of the petitioner No.1's husband, petitioner No.2 & 5's father, petitioner No.3's father-in-law and petitioner No.4's grandfather through Ex.P.4 & 5 paper publications in "Damaruga Dina Patrike" and "Vastava Karnataka Dina Patrike" dated:16.04.2026. In response to paper publications, no one has appeared before the Court to contest the case of the petitioners.

11. Ex.P.2 is the genealogical tree of the family of the petitioners, Ex.P3 is the Notarized copy of Aadhaar Card of PW.1. Ex.P2 It shows that relationship of the petitioners

with the deceased Nageshappa as the husband, father, grandfather and father-in-law of the petitioners.

12. Under Section 13 of the Registration of Births and Deaths Act 1969, the Magistrate of the First Class has power to make an order to the concerned authority established under the statute to make necessary entries pertaining to the death or birth of any person whose birth or death has not been registered within one year of its occurrence.

13. The materials on record clearly show that the husband, grandfather, father and father-in-law of the petitioners are found to have died as averred and deposed by the petitioner No.5. Therefore, the petition needs to be allowed. ***Hence, Point No.1 is answered in the Affirmative.***

14. POINT NO.2:- In the light of the above discussion, I proceed to pass the following:-

ORDER

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

The respondent is hereby directed to register the death particulars of **Nageshappa S/o Narasimhappa** alias **Narasingappa** alias **Kadirivathi Puttappa** who died on **05.03.2019** at Pakarahalli Village, Kasaba Hobli, Bangarpet Taluk, after collecting necessary fee.

(Dictated to the **Stenographer** directly on the computer and print out taken by him on this **18th day of July 2026**.)

Sd/-

(CHANDRASHEKHAR ALABUR)

I Addl., Civil Judge & JMFC,
Bangarpet.

ANNEXURE

I. List Of Witnesses Examined For Petitioner:-

PW.1 : Narayanaswamy,

II. List Of Documents Exhibited For Petitioner:-

Ex.P.1 : Non-availability Certificate
Ex.P.2 : Genealogical tree
Ex.P.3 : Notarized copy of Aadhaar Card of PW1
Ex.P.4 : Damaruga News paper
Ex.P.5 : Vastava Karnataka News paper

III. Witness Examined For The Respondent:- -NIL-

IV. Document Marked For The Respondent:- -NIL-

Sd/-

**I Addl. Civil Judge & JMFC,
Bangarpet.**