

KAKL310004222026



**IN THE COURT OF THE I-ADDL. CIVIL JUDGE AND
J.M.F.C., MALUR**

PRESENT

Smt.VIJAYALAKSHMI H.K., B.Com., LL.B.,
I-Addl.Civil Judge & JMFC., MALUR.

Dated this the 9th day of June 2026

CMC.No.71/2026

- PETITIONER/S ::**
1. Smt. Sarojamma, 71 years,
W/o.Late Venkataramanappa @ Etugalappa,
R/at M.Hosahalli Village,
Masthi Hobli, Malur Taluk.
 2. Smt. Amaravathi, 48 years,
W/o. Venkatesh,
D/o.Late Venkataramanappa @ Etugalappa,
R/at Varadapura Village,
Masthi Hobli, Malur Taluk.
 3. Smt. Narayanamma, 45 years,
W/o. Srinivas,
D/o.Late Venkataramanappa @ Etugalappa,
R/at Kuppur Village,
Masthi Hobli, Malur Taluk.
 4. Sri. Bairapa H.V, 40 years,
S/o.Late Venkataramanappa @ Etugalappa,
R/at M.Hosahalli Village,
Masthi Hobli, Malur Taluk.

[By : Sri.H.V.C, Advocate]

V/s

RESPONDENT/S :: The Tahsildar,
Malur Taluk, Malur.
[Exparte]

**ORDER ON PETITION FILED U/S.13(3) AND 14 OF THE
REGISTRATION OF BIRTHS & DEATHS ACT OF 1969**

This is a petition filed U/s.13(3) of the Registration of the Births and Deaths Act of 1969. It is stated in the petition that, husband of 1st Petitioner and father of Petitioners No.2 to 4, by name Venkataramanappa @ Etugalappa S/o. Late Ramaswamappa, was died on 31/08/1989 at M.Hosahalli Village, Masthi Hobli, Malur Taluk, and the information of death was not intimated to the Respondent by oversight.

2. The Respondent has issued an endorsement stating that, there is no entry regarding the date of death in the concerned register. Accordingly, present petition is filed for proper direction to the Respondent to make an entry regarding the death.

3. The Respondent is placed *exparte* as he remained absent even after receipt of notice. Paper publication was issued in a local Kannada morning daily news papers calling objections to this petition from the interested persons if any. However, no one has appeared before the Court and contested the petition.

4. In order to prove their case, the Petitioner No.4 got examined himself as PW.1 and got marked documents at

Ex.P.1 to Ex.P.9. The Respondent neither adduced evidence nor got marked any documents.

5. Heard the learned Counsel for the Petitioners.
6. The points that would arise for consideration are:-
 1. Whether the Petitioners are entitled for the relief as prayed in the petition?
 2. What order?
7. The findings to the above points are as under:-

Point No.1	:	In the Affirmative
Point No.2	:	As per final order for the following:-

REASONS

8. **POINT NO.1:-** The Petitioner No.4 by name Bairappa H.V., has got examined before the Court as PW.1, who filed affidavit in *lieu* of his examination in chief, wherein he has reiterated the averments of the petition. The Petitioner No.4 has produced the Non-Availability Certificate issued by the Chief Registrar of Births and Deaths, Malur, which is marked as Ex.P.1, Genealogical Tree of PW.1 is marked as Ex.P.2, Notarized copies of Aadhar Cards of Petitioners are marked as Ex.P.3 to 6, copy of RTC extract is marked as Ex.P.7 and Paper Publications in Hosa Digantha and Prajasainya and are marked as Ex.P.8 and Ex.P.9, Ex.P.8(a) and Ex.P.9(a) are the portions of notices. The evidence of Petitioner No.4 and the contents of petition remain unchallenged by the Respondent.

Hence, there is no controversy raised about the date of death. Further, there are no reasons to disbelieve the contentions of the Petitioners. Accordingly, I hold on perusal of Ex.P.1 that, it has become necessary to issue direction to the Respondent to make an entry regarding the date of death as prayed in the petition. Hence, I answer this Point No.1 in the **Affirmative**.

9. **POINT NO.2:-** In the light of the discussion made above and for the aforesaid reasons, I proceed to pass the following:-

ORDER

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

The Respondent is hereby directed to cause entry regarding the date of death of **Venkataramanappa @ Ettugalappa, S/o. Late Ramaswamappa, died on 31/08/1989 in home at M.Hosahalli Village, Masthi Hobli, Malur Taluk**, in the concerned register after collecting necessary fees, as required under law.

(Dictated to the Stenographer directly on Computer, typed by him, revised, corrected by me and then pronounced in the open Court on this the 9th day of June, 2026)

Sd/-
[VIJAYALAKSHMI H.K.]
I-Addl.C.J & JMFC., Malur.

A N N E X U R E**WITNESSES EXAMINED FOR THE PETITIONERS:-**

PW.1 : Bairappa H.V.

DOCUMENTS MARKED FOR THE PETITIONERS:-

Ex.P.1 : Non-availability Certificate
Ex.P.2 : Genealogical Tree of PW.1
Ex.P.3 to 6 : Notarized copies of Aadhar Cards of Petitioners
Ex.P.7 : Copy of RTC extract
Ex.P.8&9 : Paper Publications
Ex.P.8(a)&9(a) : Portion of Publications

LIST OF WITNESSES EXAMINED FOR RESPONDENT:-

--- N I L ---

LIST OF DOCUMENTS MARKED FOR RESPONDENT:-

--- N I L ---

Sd/-
[VIJAYALAKSHMI H.K.]
I-ADDL.C.J & JMFC., MALUR.