

KAMD610022332025



**IN THE COURT OF THE PRL CIVIL JUDGE AND JMFC., AT
PANDAVAPURA**

**Present:- Smt. Poojashri H.S. LL.M.,
Prl.Civil Judge and JMFC,
Pandavapura.**

Dated, this the 9th day of July-2026.

Crl.Mis.No.471/2025

PETITIONER: Sanjana.R D/o late Rajesh,
aged about 18 years,
r/at Kolappana street, Pandavapura
Town and Taluk, Mandya District.

(By Sri.G.M., Adv)

V/s

RESPONDENT: The Chief officer, Municipality office,
The Registrar of Birth and Death,
Pandavapura.

(Exparte)

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

This petition is filed by petitioner seeking direction directing respondent to register the death of Rajesh S/o late Bheemaraj and issue death certificate as prayed for in the petition.

2. Brief facts of the case as contended by the petitioner in the petition are as follows:

It is contended by the petitioner that, Rajesh S/o late Bheemaraj is father of petitioner and he died on 20.09.2008 at his house situated at Kolappana street, Pandavapura Town and Taluk, Mandya District and after his death, his death intimation was given by petitioner to respondent authority orally, but it was not entered in the concerned register maintained by the respondent authority. Further that, when they applied for death certificate before the respondent authority, however the respondent authority issued an endorsement stating that, the Register of deaths does not contain the entry of death of Rajesh S/o late Bheemaraj and issued non-availability certificate with that regard on 15.11.2025. It is further contended that, since petitioner is in need of death certificate, in order to get the khata of the property standing in his name into their names, they had to file the present petition.

3. Notice issued to respondent was duly served, however respondent did not appear before the court. Hence, in the absence of respondent case was proceeded and it was posted for enquiry.

4. Petitioner in order to prove their case, have examined petitioner as PW.1 and he got marked Ex.P.1 to Ex.P.5 documents.

5. Heard arguments, perused materials placed on record, the court proceeded to frame following points for consideration.

1. Whether the petitioner had made out grounds to allow the petition ?
2. What Order?

6. This court proceed to answer above points for consideration as under;

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

REASONS

7. POINT No.1:- It is the case of the petitioner that, Rajesh S/o late Bheemaraj is father of petitioner and he died on 20.09.2008 at his house situated at Kolappana street, Pandavapura Town and Taluk, Mandya District. After his demise had orally intimated the same to the respondent authority, but it was not recorded. At present petitioner is in need of the death certificate of Rajesh S/o late Bheemaraj in order to get the transfer of khata in to their names. When they had applied before the respondent authority to issue the death certificate, but the authority issued non-availability certificate. Hence, petitioner had to file the present petition.

8. Petitioner in order to prove their case, have examined petitioner as PW.1 and PW.1 has filed her affidavit in lieu of her examination-in-chief, wherein she has reiterated the averments of the petition. PW.1 has produced Ex.P.1 is the non availability certificate issued by the respondent. This shows that, the death of Rajesh S/o late Bheemaraj is not registered before the respondent authority. Further PW.1 has produced Ex.P.2 is the G-tree wherein, it is shown that, Rajesh S/o late Bheemaraj has left petitioner as his survivors. PW.1 has produced Ex.P.3 notarized adhaar card copy of petitioner. PW.1 has produced Ex.P.4 and Ex.P.5 are the Paper publications taken after filing of this petition, in order to call for objections from the public if any in order to issue the death certificate of deceased Rajesh S/o late Bheemaraj. In spite of taking paper publication, none of them have appeared in order to object the issuance of death certificate of Rajesh S/o late Bheemaraj. The documents produced show that, Rajesh S/o late Bheemaraj being father of petitioner is said to be died on 20.09.2008, as respondent in this case has not filed objection in spite of receiving the notice from the court and respondent has left the case of the petitioner unchallenged.

9. Further, Sec.13 of the Registration of Births and Death Act has empowered court to direct the authorities to register birth and death if the court is satisfied with the birth and death. Since respondent has not challenged the case of petitioner and since the

deceased is father of petitioner, it is also argued by petitioner that, because of lack of knowledge they could not register the death of deceased Rajesh S/o late Bheemaraj and hence they have filed the present petition. She is in need of death certificate in order to produce before the revenue authorities, the court does not find any doubt in the case of petitioner, as all the survivors of deceased have filed the petition seeking the order from the court. Hence, court is of the opinion that, petitioner had made out grounds to seek order from the court. **Hence, point No.1 is answered in Affirmative.**

10. POINT No.2:- For the above said reasons, the following:

ORDER

The petition filed by the petitioner is hereby Allowed. Further respondent is directed to register the death of Rajesh S/o late Bheemaraj on 20.09.2008 at their residence in Kolappana street, Pandavapura Town and Taluk, Mandya District in the register of death and further directed to issue death certificate after petitioner paying the prescribed fee.

(Dictated to the stenographer, transcript revised, corrected by me and then pronounced in the open Court on this the 09.07.2026)

**(Poojashri H.S.)
Prl.Civil Judge and JMFC,
Pandavapura.**

:- ANNEXURE:-**List of Witnesses examined in favour of petitioners :**

PW.1 : Sanjana.R

List of documents exhibited in favour of petitioners:

Ex.P.1 : Non-availability certificate
Ex.P.2 : G-tree
Ex.P.3 : Notarized Copy of Adhar Card of petitioner
Ex.P.4 and 5: Two paper publications

List of Witnesses examined in favour of respondents : Nil**List of documents exhibited in favour of respondents: Nil**

(Poojashri H.S.)
Prl.Civil Judge and JMFC,
Pandavapura.