

KAMS310037082025



IN THE COURT OF THE I ADDL. CIVIL JUDGE. & JMFC.,

AT HUNSUR

PRESENT

Smt. Namrata S Hosmath., B.A., LL.B.,
I Addl. Civil Judge & JMFC.,
Hunsur.

Dated, this the 13th day of March, 2026

CRL.MISC.NO. 817/2025

Petitioner : 1. Arasegowda
S/o Late. Arasegowda,
Aged about 84 years,
R/at Gerasanahalli Village,
Bilikere Hobli,
Hunsur Taluk,
Mysuru District.

(By Sri. S.K.S., Advocate)

V/s

Respondent : The Thahasildar,
Registrar of Birth and Death,
Hunsur Taluk.

(Exparte)

**ORDERS ON PETITION U/SEC.13(3) OF REGISTRATION
OF BIRTHS AND DEATHS ACT, 1969**

The petitioner has filed the above petition and sought for a direction to the respondent to issue death certificate of **Arasegowda S/o Late. Kempegowda.**

2. **The brief facts of the petitioner's case is that,**

Arasegowda S/o Late. Kempegowda is father of petitioner. The said **Arasegowda S/o Late. Kempegowda** died on **10.06.1972** at Gerasanahalli Village, Bilikere Hobli, Hunsur Taluk, Mysuru District. The petitioners had no knowledge about the registration of date of death of **Arasegowda S/o Late. Kempegowda** before the respondent. Later, the petitioner approached the respondent for death certificate of **Arasegowda S/o Late. Kempegowda**, the respondent has issuing non-availability certificate on 05.11.2025. The death certificate of **Arasegowda S/o Late. Kempegowda** is required for the purposes of produce the same before the competent authority to change the khata and for other legal purposes.

3. Despite service of notice of the petition to the respondent and also publication of notice of the petition

through paper, none have appeared before the Court and filed objection.

4. In order to prove the averments of the petition, the petitioner filed an affidavit as P.W.1 and relied upon 4 documents as per Ex.P.1 to Ex.P.4 and closed the evidence.

5. Heard. Perused the material on record.

6. The points that arise for my consideration are:

1. Whether the petitioner is entitled for the relief claimed?

2. What Order?

7. My findings on the above Points are:

Point No.1: In the Affirmative,

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

REASONS

8. **POINT NO.1:** In order to substantiate the averments of the petition, the petitioner has filed an affidavit in lieu of chief-examination by reiterating the averments of the petition and examined himself as P.W.1 and also relied upon 4 documents as per Ex.P.1 to Ex.P-4. Ex.P-1 is the non-availability certificate, Ex.P-2 is the G-tree, Ex.P-3 is the

copy of Aadhar card of petitioner and Ex.P-4 is the news paper publication, Ex.P-4(a) is concerned portion.

9. Despite service of notice to respondent and through paper publication to general public, nobody has resisted the claim of the petitioner. On the other hand, the averments of the affidavit of P.W.1 remained unchallenged and non-availability certificate further corroborates the contention of the petitioner. Accordingly, the **Point No.1** is answered in the **Affirmative**.

10. **POINT NO.2**: For the aforesaid findings, I proceed to pass the following;

ORDER

The petition filed by the petitioner is hereby allowed.

The Respondent is hereby directed to register the date of death of **Arasegowda S/o Late. Kempegowda**, who died on **10.06.1972** at Gerasanahalli Village, Bilikere Hobli, Hunsur Taluk, Mysuru District and to issue death

certificate to the petitioners accordingly
by collecting late fees.

(Dictated to the Stenographer on Computer, typed by her on Computer, revised, corrected and then pronounced by me in the open Court on this day, the 13th day of March 2026)

(Namrata S Hosmath)
I Addl. Civil Judge & J.M.F.C.
Hunsur.

A N N E X U R E

List of witnesses examined by the Petitioners :

P.W.1 : Arasegowda
S/o Late. Arasegowda

List of witnesses examined by the Respondent :

N I L

List of documents marked by the Petitioners :

Ex.P1 : Non-availability Certificate
Ex.P2 : Genealogical tree
Ex.P3 : Copy of Aadhar card of
petitioner
Ex.P4 : News Paper Publication
Ex.P4(a) : Concerned portion

List of documents marked by the Respondent :

N I L

(Namrata S Hosmath)
I Addl. Civil Judge & J.M.F.C.
Hunsur.