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**IN THE COURT OF THE HONOURABLE I ADDITIONAL CIVIL
JUDGE & JMFC, AT KRISHNARAJANAGAR.**

**PRESENT: SMT.ASRINA.,B.A, LLB.
I ADDL., CIVIL JUDGE AND JMFC, KRISHNARAJANAGAR.**

**DATED THIS 10TH DAY OF JUNE, 2026
CRL.MISC.NO.159/2026**

BETWEEN

PETITIONER	1. Smt.Vanajamma W/o Ningegowda Aged: 58 Years, R/at Meluru Village, Mirle Hobli, Saligrama Taluku, Mysuru District. (By Sri. D.C.G. Advocate)
AND	
RESPONDENT	The Tahasildar, Saligrama. (Ex-parte)

O R D E R

The instant petition is filed by the petitioner under Section 13 (3) of the Registration of Births and Deaths Act, 1969, seeking to issue directions to the respondent to enter the date of death of Smt.Savithamma W/o Hucchegowda @ Bacchegowda as 23.08.2015 in the register of deaths maintained by the respondent and there by to issue the death certificate of Smt.Savithamma W/o Hucchegowda @ Bacchegowda to the petitioner.

KAMS410009832026**2. The case of the petitioner in brief is that:**

The petitioner is the daughter-in-law of the Smt.Savithramma W/o Hucchegowda @ Bacchegowda. That the deceased Smt.Savithramma W/o Hucchegowda @ Bacchegowda died on 23.08.2015 in the house of the petitioner situated at Meluru Village, Mirle Hobli, Saligrama Taluku. But due to oversight, inadvertence and lack of knowledge, the date of death of aforesaid Smt.Savithramma W/o Hucchegowda @ Bacchegowda was not brought to the notice of the respondent within the statutory period of one year. As such, there is no entry of date of death of aforesaid Smt.Savithramma W/o Hucchegowda @ Bacchegowda in the concerned register of Deaths.

3. That the petitioner got to know about the said fact when she approached the respondent to issue death certificate of Smt.Savithramma W/o Hucchegowda @ Bacchegowda for the purpose of availing the government benefits. When the petitioner approached the respondent, he issued non availability certificate to the petitioner and directed her to approach the court of law. Therefore the petitioner was constrained to file this petition. That if the instant petition is not allowed, petitioner will be put to untold hardship and misery. Hence this petition seeking to issue necessary direction to the respondent as sought for in the petition.

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4. The notice of this petition was issued to the respondent. Besides paper publication was ordered to be issued to the general public at large, calling upon the persons interested to appear before the court and to submit their objections to the petition if any. Despite issuance of notice, none appeared and none objected the petition claim.

5. In support of the petition claim, petitioner got examined herself as PW-1 and got marked totally 5 documents as Ex.P-1 to Ex.P-5. Since none appeared as respondent and none challenged the petition averments and the testimony of PW-1, the same stood un rebutted.

6. Heard the counsel for petitioner. Perused the materials available on record.

7. The points that arises for my consideration are as hereunder:

1] Whether the petitioner is entitled for the relief as sought for in the petition?

2] What order?

8. My findings to the above points are as hereunder:

Point No. 1: In the Affirmative.

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

KAMS410009832026**REASONS**

9. POINT NO.1: Petitioner has filed the present petition under Section 13 (3) of the Registration of Births and Deaths Act-1969, seeking to issue directions to the respondent to enter the date of death of Smt.Savithramma W/o Hucchegowda @ Bacchegowda as 23.08.2015 in the Register of deaths maintained by the respondent and there by to issue the death certificate of Smt.Savithramma W/o Hucchegowda @ Bacchegowda to the petitioner. It is the contention of the petitioner that she is a legal heir of Smt.Savithramma W/o Hucchegowda @ Bacchegowda. For the purpose of availing government benefits, the petitioner is in need of death certificate of Smt.Savithramma W/o Hucchegowda @ Bacchegowda.

10. In order to substantiate her claim, the petitioner got examined herself as PW-1 wherein the PW-1 has reiterated the petition averments by filing her affidavit in lieu of examination in chief. In support of her testimony the PW-1 has relied upon the documents marked at Ex.P-1 to Ex.P-5. Ex.P-1 is a non availability certificate issued by the respondent which depicts that the date of death of Smt.Savithramma W/o Hucchegowda @ Bacchegowda is not entered in the register of deaths maintained by the respondent. Ex.P-2 is a family Genealogy submitted by the petitioner and the same proves the relationship of the petitioner with the Smt.Savithramma W/o Hucchegowda @ Bacchegowda. Ex.P-3 is a

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copy of Adhar card of the petitioner. Ex.P-4 and Ex.P-5 are the paper publications published in Rajyadharma and Pratinidhi news papers published on 14.05.2026 which depicts that a general papers publication were made in kannada daily news papers calling upon the persons interested to appear before the court and to submit their objections to the petition if any. On a minute reading of the petition averments and affidavit filed by the petitioner in lieu of examination in chief it reveals that when the petitioner approached the respondent seeking the death certificate of Smt.Savithramma W/o Hucchegowda @ Bacchegowda, the respondent has issued the Non availability certificate as per Ex.P-1. On a overall reading of the testimony of PW-1 and petition averments, it projects that the petitioner being the legal heir of Smt.Savithramma W/o Hucchegowda @ Bacchegowda, in order to avail the Government benefits, the petitioner have approached the respondent seeking for issuance of Death Certificate. That the testimony of PW-1 has stood unchallenged and unrebutted. Though the opportunity was provided to the respondent to put their say, they have neither appeared nor contested the case. Petitioner have successfully proved their case. In spite of providing opportunity, the petition averments as well as evidence placed on record was not challenged by the respondent and thereby the same stood unrebutted. In the above facts and circumstances and keeping in view the oral and documentary evidence that has been satisfactorily brought on record, I am of the considered opinion

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that the petition deserves to be allowed. **Accordingly point No.1 is answered in the Affirmative.**

11. POINT NO.2: In view of my above discussions and findings on point No.1, I proceed to pass the following:

ORDER

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

The respondent is hereby directed to register the factum of death of Smt.Savithramma W/o Hucchegowda @ Bacchegowda as 23.08.2015 in the Register of Deaths.

The respondent is further directed to issue Death certificate by collecting the necessary fee.

However it is hereby made it explicitly clear that all the observations made in this order is only based on the materials placed on record and all the observation made in this order are restricted only for the purpose of issuing the death certificate of the deceased to the applicants and not for any other purpose.

(Dictated to the typist directly on computer, typed by her, and the transcript revised and corrected by me and then pronounced in the open court on this **10th day of June-2026**)

Sd/-

(SMT.ASRINA)

**I ADDL.CIVIL JUDGE & JMFC
KRISHNARAJANAGARA**

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**ANNEXTURE****List of witnesses examined on behalf of petitioner:**

PW1: Smt.Vanajamma W/o Ningegowda

List of documents marked on behalf of the petitioner:

Ex.P-1: Non-availability certificate

Ex.P-2: Family Genealogy

Ex.P-3: Copy of Adhar card of the petitioner.

Ex.P-4: Paper publication in Rajyadharm daily newspaper.

Ex.P-5: Paper publication in Pratinidhi daily newspaper.

List of witnesses examined and documents marked on behalf of the respondents

-NIL-

Sd/-

(SMT.ASRINA)**I ADDL.CIVIL JUDGE & JMFC****K.R.NAGARA**