

KAMS510030372025



IN THE COURT OF I ADDL. CIVIL JUDGE AND JMFC.,
NANJANGUD

Present: Smt.Saritha Kumari A M
B.A., LL.B.,

I Addl. Civil Judge & JMFC, Nanjangud

Dated this 10th day of April, 2026

CRL.MISC./1120/2025

Mahadevu,
S/o.Late.Doddamadaiah,
Aged about 42 years,
R/at.Kalkunda village,
Biligere hobli,
Nanjangud Taluk.

...petitioner

(Rep by Sri.H N M, Adv.)

-/Versus/-

The Tahasildar,
Nanjangud Taluk, Nanjangud.

...Respondent

(Absent)

ORDER

The petitioner has filed this petition u/Sec. 13(3) of The Registration of Births and Deaths Act, 1969.

2. The brief facts of the petitioner' case is that:

That, the grand-mother of petitioner by name **Kemparajamma, W/o.Late.Basavaiah** died on **20.02.1965** at **Kalkunda village, Biligere Hobli, Nanjanagudu** Taluk. The petitioner and his family members did not inform the date of death of **Kemparajamma** to respondent office due to ignorance of procedure and the said mistake is a bonafide, not an intentional one. The death certificate of **Kemparajamma** is required to produce the same before the concerned authority to get mutation entries. Hence, this petition is filed by the petitioner.

3. After registering the case, notice has been issued to the respondent. In spite of due service of notice, the respondent did not appear before the Court. The respondent was remained absent.

4. In order to prove his case, petitioner got examined himself as as PW.1 and got marked Ex.P1 to Ex.P4.

5. Heard the learned counsel for petitioner.

6. The points that arise for my consideration are as follows:-

1. Whether the petitioner has made out a ground to direct the respondent to register the date of death of **Kemparajamma** in the concerned register?
2. What order?

7. My findings on 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: That, the PW.1/petitioner deposed that, the grand-mother of petitioner by name **Kemparajamma, W/o.Late.Basavaiah** died on **20.02.1965** at **Kalkunda village, Biligere Hobli, Nanjanagudu** Taluk. Due to the ignorance and oversight, the petitioner and his family members did not inform the death of **Kemparajamma** to respondent. Now the petitioner filed an application to respondent and pray for issue of death certificate of **Kemparajamma**, for which the respondent issued an endorsement stating that, there is no entry of death in the concerned register. The petitioner require the death certificate of **Kemparajamma** to get mutation entries in his name. The non availability Certificate issued by the

respondent is marked as Ex.P1. The Genealogical Tree pertaining to the family of the petitioner is marked as Ex.P2. Ex.P3 is the notarized copy of Aadhaar card of PW.1 and Ex.P4 is paper publication. On perusal of these documents, it is found that, deceased **Kemparajamma** is the **grand-mother of petitioner** and he require the death certificate of said **Kemparajamma** to get mutation entries. Hence, there is sufficient grounds to allow the petition, moreso, in spite of service of notice, the respondent not appeared before this court and the oral and documentary evidence of petitioner remained unchallenged and undisputed. After due publication of the petition citation/public notice in **Times of Nanjangudu Kannada Daily Newspaper**, no one has come before the Court to protest the petition so as to dispute the relationship of the petitioner with the deceased, date of death of deceased etc., If the date of birth/death of any person was not registered in the concerned register of appropriate authority for any reasons, it cannot be denied in getting the registration of the same. Hence, I am of the opinion that, if the petition is allowed no injustice or hardship will be caused to the respondent or anybody. Accordingly, Point No.1 is answered in the '**Affirmative**'.

9. **Point No.2:** In view of the above said findings, this court proceeds to pass the following:

ORDER

The petition filed by the petitioner under the provisions of Sec.13(3) of The Registration of Births and Deaths Act, 1969 is hereby **allowed**.

Respondent is directed to register the date of death of **Kemparajamma, W/o.Late.Basavaiah** as **20.02.1965** at **Kalkunda village, Biligere Hobli, Nanjanagudu** Taluk in the death register after receipt of prescribed fee from the petitioner.

No order as to costs.

*(Dictated to the stenographer directly on the computer, typed by her, corrected and signed by me and then pronounced in the open court on this the **10th day of April, 2026**)*

(Saritha Kumari A M)
I Addl. Civil Judge & JMFC.,
Nanjangud

ANNEXURE

1. List of Witnesses examined by the petitioner:

PW.1 Mahadevu

2. List of documents marked by the petitioner:

Ex.P1	Non Availability Certificate
Ex.P2	Genealogical Tree
Ex.P3	Aadhaar card
Ex.P4	Paper publication

3. List of witnesses examined by the respondent:

-Nil-

4. List of documents marked by the respondent:

-Nil-

I Addl. Civil Judge and JMFC.,
Nanjangud