

KAMS510028542026



**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 07th day of August, 2026

CRL.MISC./1024/2026

Shashikala.T.S,
W/o.Late.Mariswamy,
Aged about 27 years,
R/at.Tagaduru village,
Biligere hobli, Nanjangud Taluk.

...Petitioner

(Rep by **Sri.M S .**, Adv.)

-/Versus/-

The Tahasildar,
Nanjangud Taluk, Nanjangud.

...Respondent

(Absent)

ORDER

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

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

That the husband of petitioner by name **Mariswamy, S/o.Puttasiddaiah** died on **07.08.2023** at **Tagaduru village, Biligere hobli**, of Nanjangud taluk. The petitioner and her family members did not inform the date of death of **Mariswamy** to respondent office due to ignorance of procedure and the said mistake is a bonafide not an intentional one. The death certificate of **Mariswamy** 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 her case, petitioner got examined herself as PW.1 and got marked Ex.P1 to Ex.P5.

5. Heard, 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 **Mariswamy** in the concerned register?
2. What order?

7. My answer to the aforesaid point is in '**Affirmative**' for the following:-

REASONS

8. **Point No.1:** PW-1/petitioner deposed that, her husband by name **Mariswamy, S/o.Puttasiddaiah** died on **07.08.2023** at **Tagaduru village, Biligere hobli**, of Nanjangud taluk. Due to the ignorance and oversight, the petitioner and her family members did not inform the death of **Mariswamy** to respondent. Now the petitioner filed an application to respondent and pray for issue of death certificate of **Mariswamy**, for which the respondent issued an endorsement stating that, there is no entry of death in the concerned register. The petitioner requires the death certificate of **Mariswamy** to get mutation entries in her 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 petitioner and Ex.P4 & 5 are the paper publications published in **Mahanandi & Raitha Nadu Daily Newspaper**. On perusal of these documents, it is found that, deceased **Mariswamy** is the **husband of PW.1** and she requires the death certificate of **Mariswamy** 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 **Mahanandi & Raitha Nadu 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 **Mariswamy, S/o.Puttasiddaiah** as **07.08.2023** at **Tagaduru village, Biligere hobli** of **Nanjangud** 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, script revised, corrected and signed by me and then pronounced in the open court on this the **07th day of August- 2026**)*

(Saritha Kumari A M)

I Addl. Civil Judge & JMFC.,
Nanjanagudu

ANNEXURE

1. List of Witnesses examined by the petitioners.

PW.1 Shashikala.T.S

2. List of documents marked by the petitioners.

Ex.P1 Non Availability Certificate

Ex.P2 Genealogical Tree

Ex.P3 Aadhar card

Ex.P4 & 5 Paper publications

3. List of witnesses examined by the respondent:

-Nil-

4. List of documents marked by the respondent:

-Nil-

I Addl. Civil Judge and JMFC.,
Nanjangudu