

KAMS610009282026



**IN THE COURT OF I ADDITIONAL CIVIL JUDGE AND
JUDICIAL MAGISTRATE FIRST CLASS AT PERIYAPATNA.**

PRESENT

Smt.Vidya, A.S.

I Additional Civil Judge & J.M.F.C.,
Periyapatna.

Dated : This the 4th day of August, 2026

Crl.Mis.288/2026

Between:	
Petitioners:	Sri Keerthi Prasad, S/o Late Manchanayaka, Aged about 43 years, R/o Thammadahalli Village, Bettadapura Hobli, Periyapatna Taluk.
	(By Sri.HRM.-Advocate)
	-And-
Respondent:	The Tahasildar, Taluk office, Periyapatna.
	Absent

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

The petitioner has filed the present petition under Section
13(3) of the Registration of Births and Deaths Act, 1969.

2. It is stated in the petition that the grand mother of petitioner by name, **Late Ramamma W/o Siddaiah died on 15.01.1949 at Thammadahalli Village, Bettadapura Hobli, Periyapatna Taluk.** The petitioner recently came to know that her death had not been registered when he applied for the issuance of a death certificate. The respondent issued an endorsement stating that there is no entry regarding the death of **Late Ramamma W/o Siddaiah** in the death register. Hence, the petitioner has filed the present petition seeking a direction to the respondent to register the date of death of **Late Ramamma W/o Siddaiah** in the concerned register.

3. After issuance of notice, the respondent remained absent and was placed ex-parte. The matter was thereafter posted for recording the evidence of the petitioner.

4. Now, the following points arise for consideration of this Court are:

Point No.1. Whether the petitioner is entitled to the relief as prayed for ?

Point No.2. What order ?

5. The petitioner examined himself as PW-1 and got marked four documents as Ex.P1 to Ex.P 4. The evidence of PW-1 has remained unchallenged.

6. Heard the arguments on behalf of the petitioner.

7. The findings of this Court on the above said 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:** The petitioner has approached this Court under Section 13(3) of the Registration of Births and Deaths Act, 1969 seeking a direction to the respondent to register the death of **Late Ramamma W/o Siddaiah** i.e., grand mother of petitioner who is stated to have expired on **15.01.1949 at Thammadahalli Village, Bettadapura Hobli, Periyapatna Taluk.**

9. It is the specific case of the petitioner that the death of **Late Ramamma W/o Siddaiah** was never registered and that this fact came to his knowledge only when he applied for

issuance of a death certificate. The respondent authority issued an endorsement stating that no entry regarding the said death was found in the death register, which necessitated filing of the present petition.

10. Despite service of notice, the respondent remained absent and was placed ex-parte. The petitioner examined himself as PW-1 and filed an affidavit in lieu of chief examination reiterating the averments made in the petition. He has produced the Non-Availability Certificate(Ex.P1), Newspaper publications in “Prajnudi” (Ex.P2), issued inviting objections, if any, from the public and an affidavit regarding family genealogy (Ex.P.3). He also produced the notarized copy of the Aadhar card of petitioner (Ex.P.4).

11. The evidence of PW-1 has remained unchallenged. No objections have been filed by any person in response to the newspaper publication. In the absence of cross-examination or rebuttal evidence, the testimony of PW-1 inspires confidence and deserves acceptance.

12. On careful consideration of the oral and documentary evidence, particularly Ex.P.1 to 3, this Court is satisfied that the petitioner has established the factum of death of **Late Ramamma W/o Siddaiah** and the non-registration thereof. The requirement under Section 13(3) of the Registration of Births and Deaths Act, 1969 has been duly complied with. Accordingly, this Court finds that sufficient grounds exist to grant the relief sought and to issue a direction to the respondent to register the death of **Late Ramamma W/o Siddaiah** as prayed. Hence, this Court answer point No.1 in the affirmative.

13. Point No.2: In the result, this Court proceeded to pass the following ;

ORDER

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

The respondent is hereby directed to register and enter the date of death of ‘
**Late Ramamma W/o Siddaiah who
died on 15.01.1949 at**

**Thammadahalli Village, Bettadapura
Hobli, Periyapatna Taluk,** in the
concerned register, as stated in the
petition, after collecting the prescribed
fee and complying with the
requirements of law.

(Typed by stenographer, corrected, signed, and pronounced
by me in open court this **4th** day of **August, 2026**)

(Smt.Vidya A.S)
I Additional Civil Judge & J.M.F.C.,
Periyapatna.

ANNEXURE

List of the witness examined on behalf of the petitioner:

P.W.1 : Keerthi Prasad

List of witness examined on behalf of the Respondent:

-Nil-

List of Documents are marked on behalf the petitioner:

Ex.P.1 : Non-Availability Certificate

Ex.P.2 : Newspaper publications in “Prajnudi”

Ex.P.3: Affidavit regarding family genealogy

Ex.P.4: Notarized copy of Aadhar card of petitioner

List of Documents are marked on behalf of the Respondent:

-Nil-

**(Smt.Vidya A.S)
I Additional Civil Judge & J.M.F.C.,
Periyapatna.**