

KAMS610000792026



**IN THE COURT OF THE I ADDITIONAL CIVIL JUDGE
AND JMFC, AT PERIYAPATNA.**

: PRESENT :

Smt. **SHWETHA.J.** *B.COM., LL.B.*,
I Addl. Civil Judge & JMFC., Periyapatna.

Dated this the 6th day of April, 2026

Crl. Misc.No.24/2026

- Petitioner/s** : 1. Sri.Karigowda,
S/o late Sannegowda,
Aged about 80 years,
2. Smt.Yadhoda,
W/o Motegowda,
D/o Karigowda,
Aged about 51 years,
3. Sri.Mahadeva,
S/o Karigowda,
Aged about 48 years,
4. Sri.Swamygowda,
S/o Karigowda,
Aged about 46 years,
5. Sri.Shivappa,
S/o Karigowda,
Aged about 44 years,
6. Sri.Nataraju
S/o Karigowda,
Aged about 42 years

Both are R/at M.M.Koppalu Village,
Bettadapura Hobli,
Periyapatna Taluk,
Mysuru District.

(By Sri.KRK., Advocate)

-Vs.-

Respondent : The Tahsildar,
Birth & Death Registrar,
Periyapatna Taluk,
Mysuru District.
(Exparte)

ORDER

The above petition is filed by the petitioners praying to direct the respondent to enter the particulars of death of Kamalamma W/o Karigowda as shown in the petition.

2. The brief facts of the case of the petitioners is that Kamalamma W/o Karigowda was died on 20.08.1985 at M.M.Koppalu Village, Bettadapura Hobli, Periyapatna Tauk, Mysuru District. On applying for the Death Certificate extract with the respondent, the respondent has issued an endorsement stating non-availability of the same. Hence this petition.

3. Inspite on service of notice, the respondent has not appeared before the Court. The petitioners have also issued the paper publication in 'Mandyadaruvvari'. Inspite that nobody appeared to resist the petitioners case.

4. In support of the petitioners case, the petitioner No.6 has entered the witness box as PW1 and got marked

Ex.P1/Nonavailability Certificate. Ex.P2/News Paper. Ex.P3/ Genealogical Tree, Ex.P4 to 9/Notarised copies of Aadhaar Cards.

5. Heard the arguments of petitioners Counsel. Perused the materials placed on record.

6. On the basis of above, the following point does arise for my consideration;

“Whether the petition filed Under Section 13(3) of the Registration of Births and Deaths Act, should be allowed?”

7. My finding to the above point is in the “**Affirmative**” for the following;

REASONS

8. **Point No.1:** The PW.1 has deposed in accordance with the petition averments. The unchallenged testimony of PW1 is corroborated by Ex.P1/Nonavailability certificate, establishes that the particulars of the death shown below are not available with the respondent. In that event, the petition has to be allowed and the petitioners are liable to pay the late fee. Accordingly, above point is answered in the **Affirmative**. In the result the following;

ORDER

The petition filed Under Section 13(3) of the Registration of Births and Deaths Act is allowed.

The respondent is directed to enter the below shown particulars in the register concerned, after obtaining fee, if any.

Particulars

Name : Kamalamma
Husband : Karigowda
Date of Death : 20.08.1985
Date of Place of Death: M.M.Koppalu Village,
Bettadapura Hobli,
Periyapatna Taluk,
Mysuru District.
Sex : Female
Nationality : Indian

Issue intimation directing the respondent to enter the above particulars in the register concerned, after receiving required fee, if any.

(Dictated to the Stenographer on computer, thereof corrected, signed and pronounced by me in the open Court on this the 6th day of April 2026)

(SHWETHA.J.)

I Addl. Civil Judge & JMFC,
Periyapatna.

ANNEXURE**Witnesses examined for petitioners:**

PW1 : Sri.Nataraju

Documents exhibited for petitioners:

Ex.P1 : Non-Availability
Ex.P2 : News paper
Ex.P2(a) : Marked portion
Ex.P3 : Genealogical Tree
Ex.P4 to 9 : Notarised copies of Aadhaar cards

Witnesses examined for respondent: - Nil -

Documents exhibited for respondent: - Nil -

(SHWETHA.J.)
I Addl. Civil Judge & JMFC,
Periyapatna.